

**ALDERSON, ALDERSON, WEILER,
CONKLIN, BURGHART & CROW, L.L.C.**
ATTORNEYS AT LAW

2101 S.W. 21ST STREET
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MICHELLE L. MUIR

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boba@aldersonlaw.com

May 11, 2012

MAY 14 2012

OF COUNSEL:
BRIAN FROST

THOMAS C. HENDERSON

JARED R. MUIR

*LL M., TAXATION

**LICENSED TO PRACTICE IN
KANSAS AND MISSOURI

FILED
MAY 14 2012
SURFACE
TRANSPORTATION BOARD

VIA OVERNIGHT FEDERAL EXPRESS

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423-0001

FEE RECEIVED

MAY 14 2012

**SURFACE
TRANSPORTATION BOARD**

Re: STB Docket No. AB-1088X, Jackson, Gordonville and
Delta Railroad-Abandonment Exemption-Line in
Cape Girardeau County, Missouri

Dear Ms. Brown:

Pursuant to the Board's exemption procedures for abandonments and discontinuances of service for rail lines with no local traffic for at least two years (49 C.F.R. § 1152.50), I am enclosing an original and ten copies of a verified Abandonment Notice of Exemption on behalf of the Jackson, Gordonville and Delta Railroad Company. Our firm's check, payable to the Surface Transportation Board in the amount of \$3,600.00, is enclosed in payment of the filing fee.

I also have enclosed an eleventh copy of the Exemption Notice. Please date stamp it and return it to me in the self-addressed, stamped envelope.

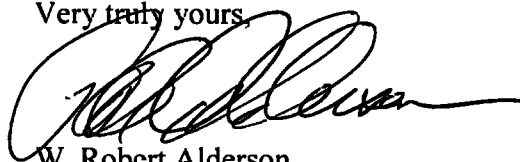
Thank you for your assistance in this matter. If there are any questions concerning this filing, please contact me by telephone at (785) 232-0753 or by email at the email address shown above.

ENTERED
Office of Proceedings

MAY 14 2012

Part of
Public Record

Very truly yours,



W. Robert Alderson
ALDERSON, ALDERSON, WEILER,
CONKLIN, BURGHART & CROW, L.L.C.

WRA:bjb

Enclosures

cc: Robert L. Adams

2323010



**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-1088X

**JACKSON, GORDONVILLE AND DELTA RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
LINE IN CAPE GIRARDEAU COUNTY, MISSOURI**

**ENTERED
Office of Proceedings**

MAY 14 2012

**Part of
Public Record**

EXEMPTION NOTICE

FILED
MAY 14 2012
**SURFACE
TRANSPORTATION BOARD**

FEE RECEIVED
MAY 14 2012
**SURFACE
TRANSPORTATION BOARD**

W. Robert Alderson
ALDERSON, ALDERSON, WEILER,
CONKLIN, BURGHART & CROW, L.L.C.
2101 S.W. 21st Street
Topeka, Kansas 66604
Tel: (785) 232-0753
Fax: (785) 232-1866
Counsel for Jackson, Gordonville and
Delta Railroad Company

Dated: May 14, 2012

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-1088X

**JACKSON, GORDONVILLE AND DELTA RAILROAD
- ABANDONMENT EXEMPTION -
LINE IN CAPE GIRARDEAU COUNTY, MISSOURI**

EXEMPTION NOTICE

The Jackson, Gordonville and Delta Railroad Company ("JGD Railroad") submits the following notice of exemption pursuant to 49 CFR Part 1152, Subpart F, Exempt Abandonments and Discontinuances of Service and Trackage Rights, for an exempt abandonment of approximately 13.3 track miles of rail line ("Line") located entirely in Cape Girardeau County, Missouri. In accordance with the informational requirements set forth at 49 CFR 1152.50(d), JGD Railroad provides the following:

Proposed Consummation Date: 49 CFR 1152.50(d)(2)

The abandonment will be consummated on or after July 3, 2012 (50 days after filing the notice of exemption).

Certification: 49 CFR 1152.50(b)

JGD Railroad certifies that the Line satisfies the criteria for abandonment under the exemption provisions at 49 CFR Part 1152, Subpart F. See Verification of Robert L. Adams, President of Jackson, Gordonville and Delta Railroad Company, attached hereto and made part hereof as **Exhibit A**.

Additional Information Required: 49 CFR 1152.22(a)(1)-(4),(7)-(8) and (e)(4)

(a)(1) The railroad's exact name is Jackson, Gordonville and Delta Railroad Company.

(a)(2) JGD Railroad is a Class III common carrier by railroad subject to 49 U.S.C. Subtitle IV. See Jackson, Gordonville and Delta Railroad Company – Acquisition and Operation Exemption – Line in Cape Girardeau County, Missouri, ICC Finance Docket No. 32328 (Service Date: August 12, 1993). See, also, Jackson, Gordonville, and Delta Railroad Co. – Acquisition and Operation Exemption – Portion of the Golden Cat Railroad Corporation's Delta Branch, ICC Finance Docket No. 32339 (Service Date: November 24, 1993).

(a)(3) JGD Railroad proposes to abandon approximately 13.3 track miles of its rail line ("Line") located entirely in Cape Girardeau County, Missouri, the legal description of which is as follows: A rail corridor, generally 50.0 feet in width, the centerline of which extends from the Line's southern terminus in the City of Delta, Missouri, at Railroad Milepost 149.4 in Section 9, Township 29 North, Range 13 East of the 6th P.M; from its southern terminus, said centerline extends northwesterly through the City of Delta and through Section 5, Township 29 North, Range 13 East of the 6th P.M. to the Town of Allenville, Missouri in Section 31, Township 30 North, Range 12 East of the 6th P.M.; thence said centerline extends northeasterly and easterly through Sections 31, 32, 29, 28, 21, 22, 23 and 24, Township 30 North, Range 12 East of the 6th P.M. to the Town of Dutchtown, Missouri; thence said centerline extends northerly and northwesterly from the Town of Dutchtown through Sections 24, 13, 12, 1 and 2, Township 30 North, Range 12 East of the 6th P.M. to Railroad Milepost 157.9, which is 1,394 feet south of the centerline of Missouri Highway Z, the northern terminus of the Line, near the Village of Gordonville, Missouri.

(a)(4) Detailed maps showing the location of the Line are attached hereto as **Exhibit B**. There are three maps and a hand-drawn graphic comprising **Exhibit B** and identified as **Exhibit B-1, Exhibit B-2, Exhibit B-3 and Exhibit B-4**.

Exhibit B-1 is a copy of the relevant portion (8 ½ x 11) of the current USGS 7.5 Min. Topographic Map of the area traversed by the Line. This map is identified as Cape Girardeau Mo.-Ill.-Ky, 37089-A1-TM-100. It is a 1986 map providing a 30 x 60 minute quadrangle.

The map attached as **Exhibit B-2** consists of two pages, which were copied from the 2011 Cape Girardeau County Plat Book and constitute pages 39 and 45 in that plat book. On both pages, the Line is highlighted in green. The first page of this map (Plat Book page 39) shows the location of the Line in Township 30 North, Range 12 East of the 6th P.M., and the second page (Plat Book page 45) shows the location of the Line in Township 29 North, Range 12 East of the 6th P.M.

The map attached as **Exhibit B-3** is a three-page aerial photo map, which was prepared by the Cape Girardeau Office of Mapping and Appraisal. This map more clearly shows the agricultural nature of the land traversed by the Line.

Also attached as **Exhibit B-4** is a hand-drawn graphic which identifies the locations of the 22 bridges on the Line.

Explanation of Railroad Milepost Numbering. In the mid 1800's, Missouri Pacific Railroad ("MOPAC") constructed a main line track from St. Louis, Missouri to Little Rock, Arkansas. In the late 1800's, MOPAC built a secondary main line track, from Bismarck, Missouri, to Belmont, Missouri. About that same time, the Frisco Railroad built a main line track from St. Louis, Missouri to Poplar Bluff, Missouri, and it crossed the MOPAC main line at Delta, Missouri. In the late 1890's, the St. Louis and Iron Mountain Railroad was built from Allenville, Missouri to Jackson, Missouri. The chief engineer of MOPAC numbered the mileposts on MOPAC's main line, starting at St. Louis with Railroad Milepost 0.0, and at Bismarck, which is Railroad Milepost 79, he began numbering the secondary rail line's mileposts from Bismarck to Allenville. Allenville is Railroad Milepost 147 for the original branch line from Bismarck to

Belmont, and it also is the beginning of the branch line from Allenville to Jackson. The Railroad Milepost at Allenville on the Allenville-Jackson branch line is also Railroad Milepost 147, and the milepost numbers from Allenville to Jackson increase in size. From Allenville to Delta, the Railroad Mileposts continue to be numbered as they were before the line from Bismarck to Allenville was abandoned in the 1970's. Delta was then and continues to be Railroad Milepost 149.4. Thus, from Delta (149.4) to Allenville (147.0) it is approximately 2.4 track miles. Then, from Allenville (147.0) to the northern terminus of the Line (157.9) near Gordonville, it is 10.9 track miles, which means that the distance from Delta to the northern terminus of the line near Gordonville is approximately 13.3 track miles.

(a)(7) The representative of JGD Railroad to whom correspondence regarding this abandonment should be sent is:

W. Robert Alderson
ALDERSON, ALDERSON, WEILER,
CONKLIN, BURGHART & CROW, L.L.C.
2101 S.W. 21st Street
Topeka, Kansas 66604
Tel: (785) 232-0753
Fax: (785) 232-1866

(a)(8) The Line lies entirely within U.S. Postal Service Zip Codes 63740, 63744 and 63752.

(e)(4) JGD Railroad has undertaken no separate analysis to determine the Line's suitability for use for other public purposes. JGD Railroad is unaware of any impediment or restriction of title that would bar the use of the Line's right-of-way for other public purposes.

Labor Protections

The interests of affected railroad employees, if any, will be protected by the conditions discussed in Oregon Short Line Railroad Co. – Abandonment – Goshen, 360 I.C.C. 91 (1979).

See, also, Oregon Pacific & Eastern Railway Company, 1994 WL 559390 (I.C.C. Oct. 04, 1994)
(No. AB-401, Sub 1).

Certifications

Attached hereto as **Exhibit C** are the Certificates of Service and Publication pursuant to the notice requirements of 49 CFR 1152.50(d)(1), 1105.11 and 1105.12.

Environmental and Historic Report

As stated above, JGD Railroad certifies that it has complied with the service requirements of 49 CFR 1105.11, which, in turn, is evidence of JGD Railroad's compliance with the advance notice requirements applicable to Environmental and Historic Reports, as set forth at 49 CFR 1105.7 and 1105.8. Moreover, JGD Railroad's Combined Environmental and Historic Report, reflecting the feedback and input of agencies consulted in the process, is attached hereto as **Exhibit D**. In the event that JGD Railroad receives information from the entities with which JGD Railroad has consulted that is responsive to the Combined Environmental and Historic Report subsequent to the filing of its Notice of Exemption, JGD Railroad will promptly advise the Board of any such additional information.

Respectfully submitted,



W. Robert Alderson
ALDERSON, ALDERSON, WEILER,
CONKLIN, BURGHART & CROW, L.L.C.
2101 S.W. 21st Street
Topeka, Kansas 66604
Tel: (785) 232-0753
Fax: (785) 232-1866

Attorney for Jackson, Gordonville and
Delta Railroad Company

May 14, 2012

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-1088X

**JACKSON, GORDONVILLE AND DELTA RAILROAD COMPANY
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION -
LINE IN CAPE GIRARDEAU COUNTY, MISSOURI**

EXEMPTION NOTICE

EXHIBIT A

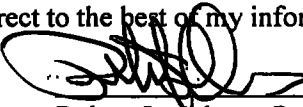
VERIFICATION

VERIFICATION

I, Robert L. Adams, President of Jackson, Gordonville and Delta Railroad Company ("JGD Railroad"), hereby verify and certify that no local traffic has moved over the following JGD Railroad line (located entirely in Cape Girardeau County, Missouri) for the past two years: A line ("Line"), consisting of a rail corridor, the centerline of which extends from the Line's southern terminus in the City of Delta, Missouri, at Railroad Milepost 149.4 in Section 9, Township 29 North, Range 13 East of the 6th P.M.; from its southern terminus, said centerline extends northwesterly through the City of Delta and through Section 5, Township 29 North, Range 13 East of the 6th P.M. to the Town of Allenville, Missouri in Section 31, Township 30 North, Range 12 East of the 6th P.M.; thence said centerline extends northeasterly and easterly through Sections 31, 32, 29, 28, 21, 22, 23 and 24, Township 30 North, Range 12 East of the 6th P.M. to the Town of Dutchtown, Missouri; thence said centerline extends northerly and northwesterly from the Town of Dutchtown through Sections 23, 13, 12, 1 and 2, Township 30 North, Range 12 East of the 6th P.M. to Railroad Milepost 157.9, which is 1,394 feet south of the centerline of Missouri Highway Z, the northern terminus of the Line, near the Village of Gordonville, Missouri. I also hereby verify and certify that there is no overhead traffic on the Line that has been, or would need to be, rerouted as a result of the proposed abandonment. I further verify and certify that no formal complaint filed by a user of rail service on the Line (or filed by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the U.S. Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the said two-year period. I also certify that I am duly authorized to make this verification.

Further, I hereby verify that the information contained in the foregoing abandonment Notice of Exemption is true and correct to the best of my information and belief.

Dated: 5/1/12


Robert L. Adams, President
Jackson, Gordonville and Delta Railroad Company

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

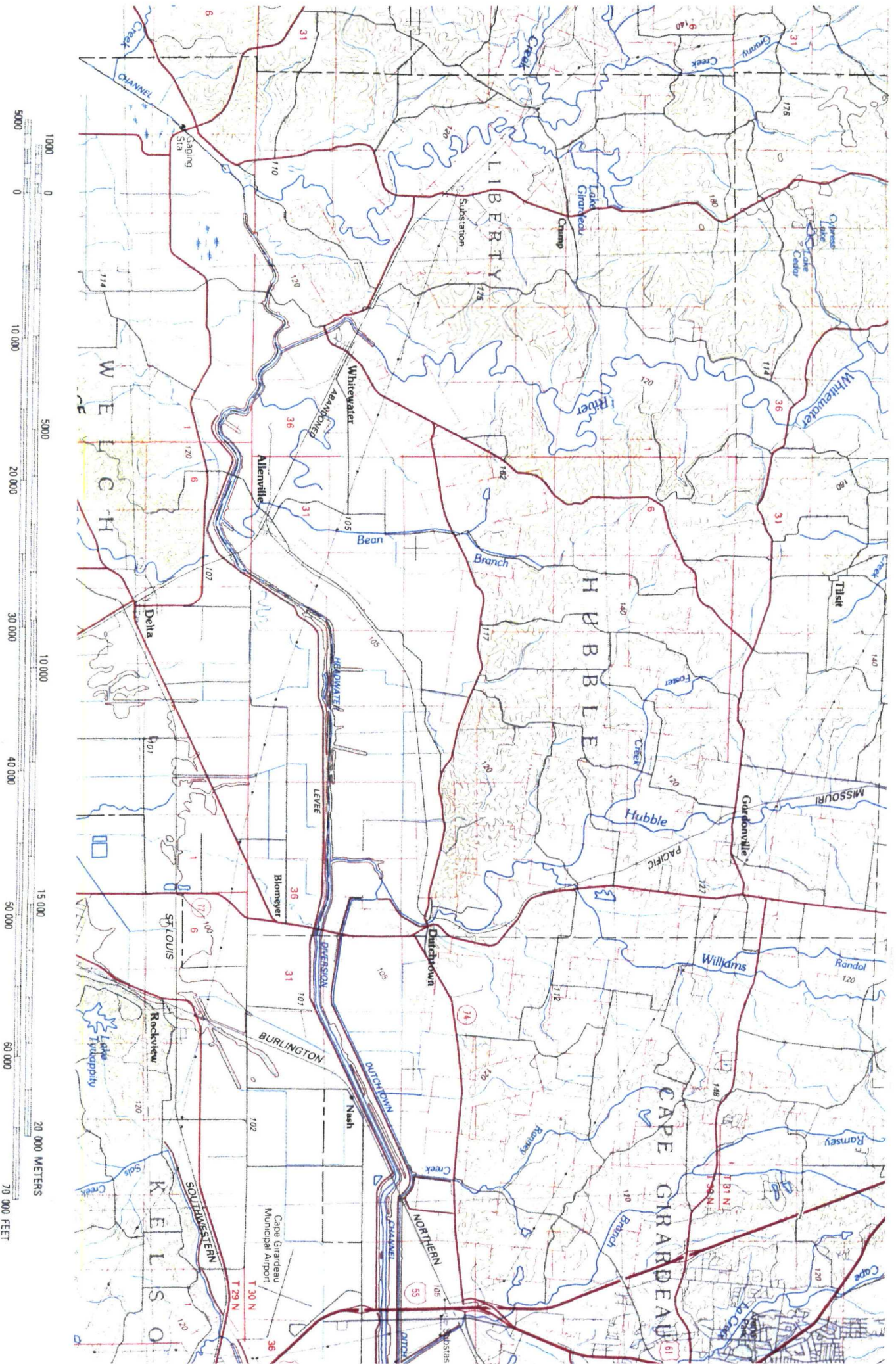
STB DOCKET NO. AB-1088X

**JACKSON, GORDONVILLE AND DELTA RAILROAD COMPANY
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION –
LINE IN CAPE GIRARDEAU COUNTY, MISSOURI**

EXEMPTION NOTICE

EXHIBIT B

MAPS



Improving Yields Since 1917



Progressive Farm Credit Services

It's knowing we're stronger together than as individuals.
It's building our community around the success of our farmers.
It's working with people who know you and want to see you succeed.

By farmers, for farmers.

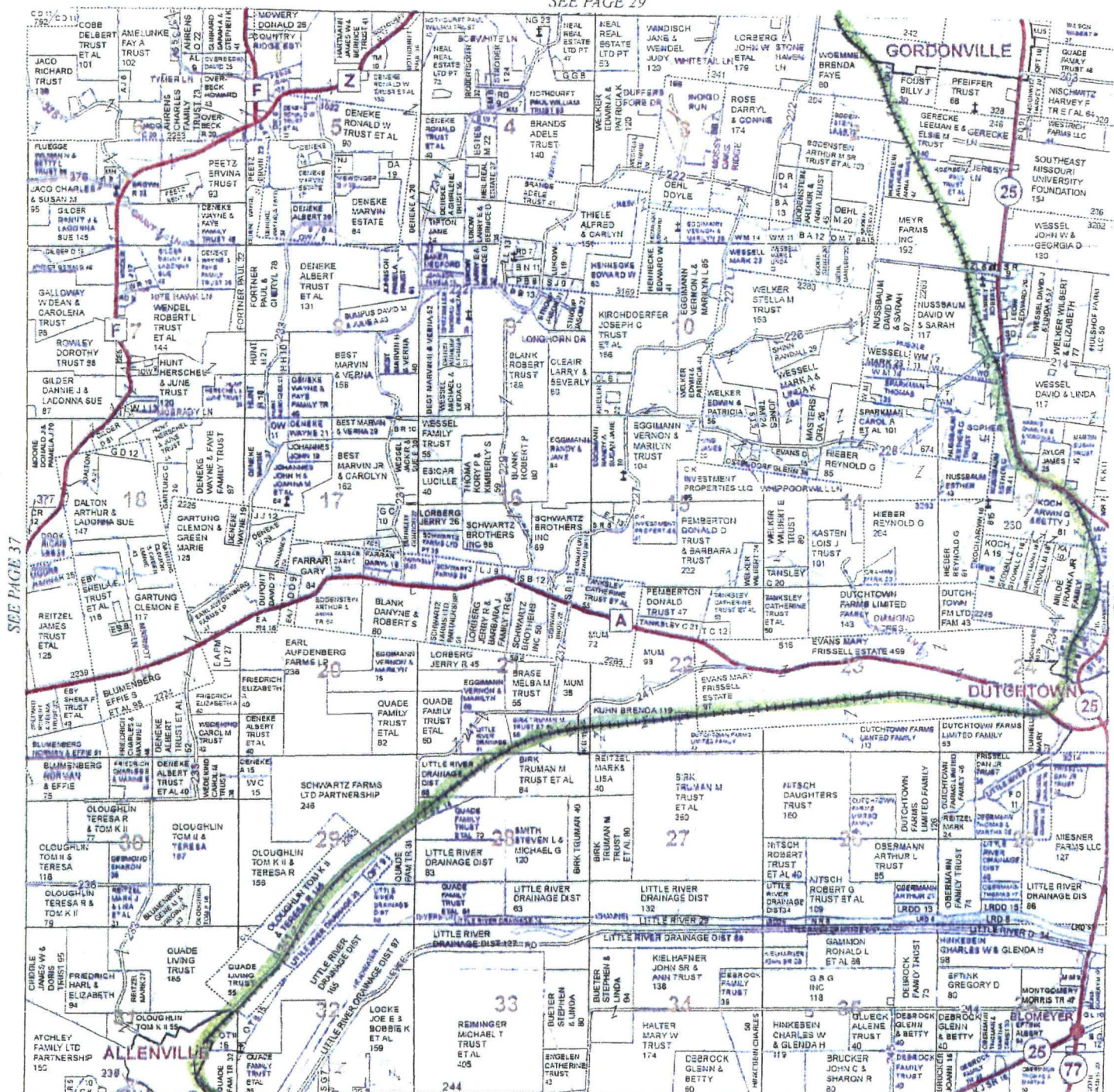
www.progressivefcs.com

PFCS Jackson Office
420 W. Washington
Jackson, MO 63755
(573) 243-4301

PFCS Sikeston Office
1110 N. Main
Sikeston, MO 63801
(573) 471-0511

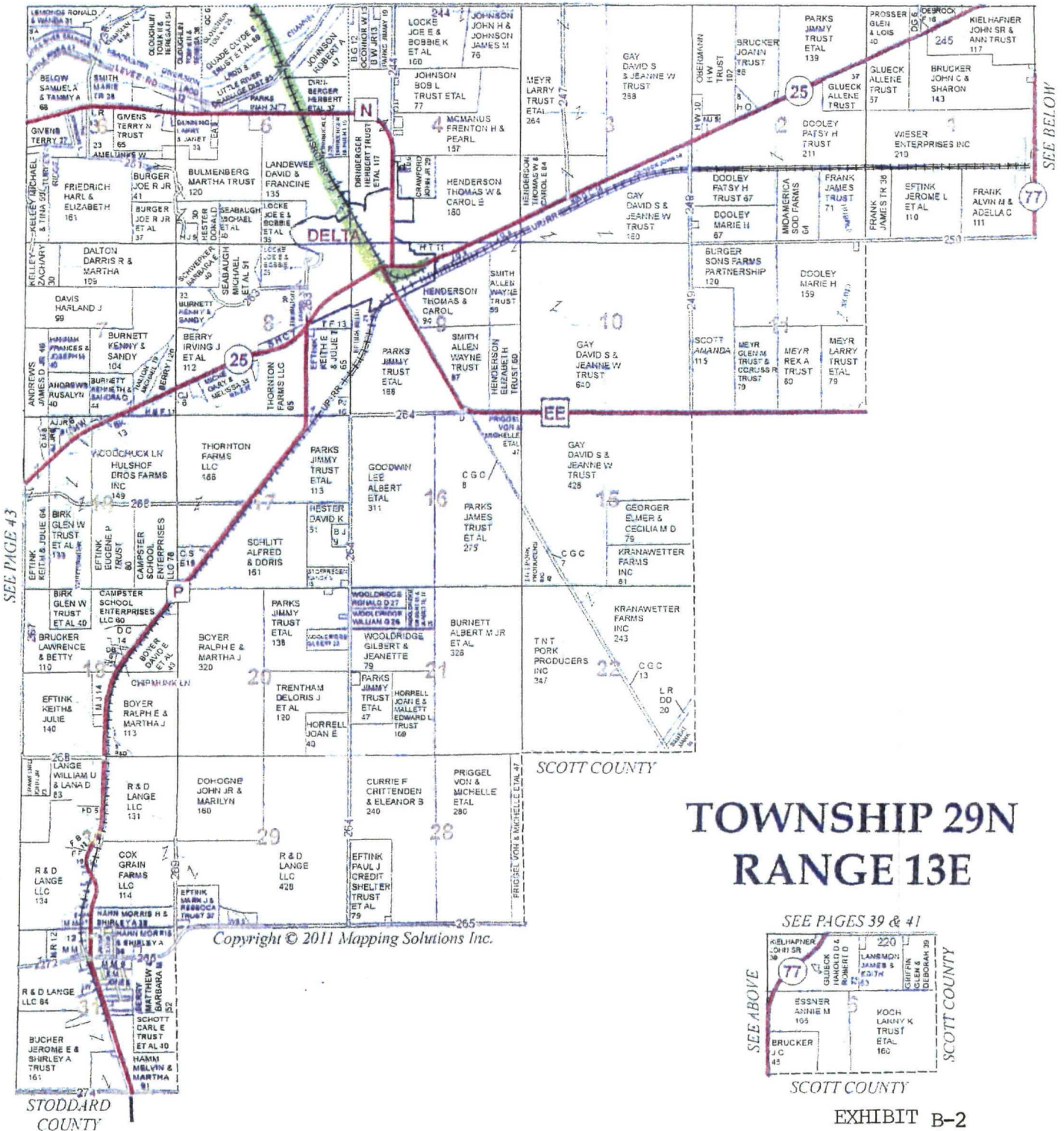
TOWNSHIP 30N • RANGE 12E

SEE PAGE 29



TOWNSHIP 29N • RANGE 12E

SEE PAGES 37 & 39



TOWNSHIP 29N RANGE 13E

CAPE GIRARDEAU COUNTY

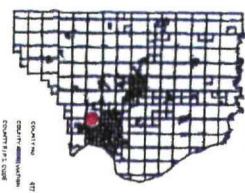


MISSOURI
Prepared by
SMART DATA SYSTEMS, INC.
CAPE GIRARDEAU COUNTY COURT

- Legend**
- Boundary FCODE
 - Block Line
 - County Line
 - Parcel Line
 - RR ROW Line
 - Road ROW Line
 - Section Line
 - State Line
 - Twpring Line
 - Water/Parcel Line
 - unknown
- Twpr 24 Ring 12
- Twpr 30 Ring 12

THIS MAP IS PREPARED FOR THE PROPERTY OF THE MISSOURI DEPARTMENT OF REVENUE, AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE MISSOURI DEPARTMENT OF REVENUE.

MAP INDEX

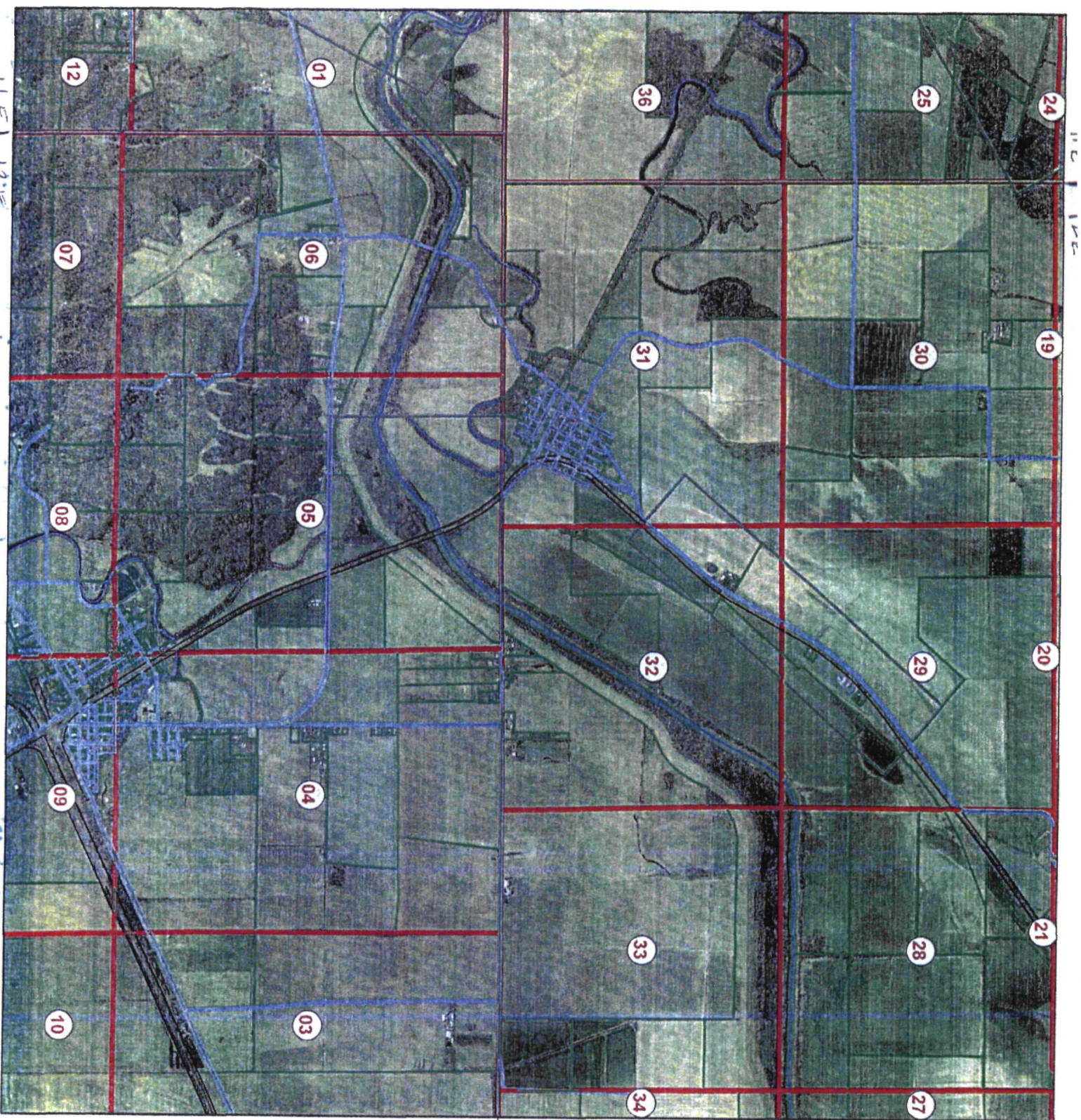


1 inch = 2,500 feet

SECTION
TOWNSHIP
RANGE
MAP NO.

5 d 5

Nov 09, 2011



11E | 12E

CAPE
GIRARDEAU
COUNTY



MISSOURI

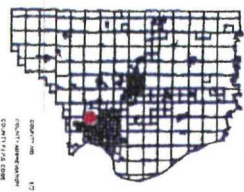
THE STATE OF MISSOURI
COUNTY OF GIBBS
BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing petition, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Legend

- Boundary
- FCODE
- Block Line
- County Line
- Parcel Line
- RR ROW Line
- Road ROW Line
- Section Line
- State Line
- Twp/Rng Line
- Water/Parcel Line
- Unknown

THIS MAP IS PREPARED FOR THE ARCHIVAL OF THE PUBLIC RECORDS OF THE STATE OF MISSOURI. THE COUNTY AND COUNTY CLERK HAVE REVIEWED THE MAP AND HAVE DETERMINED THAT IT IS ACCURATE AND COMPLETE FOR THE PURPOSES OF THE ARCHIVAL.

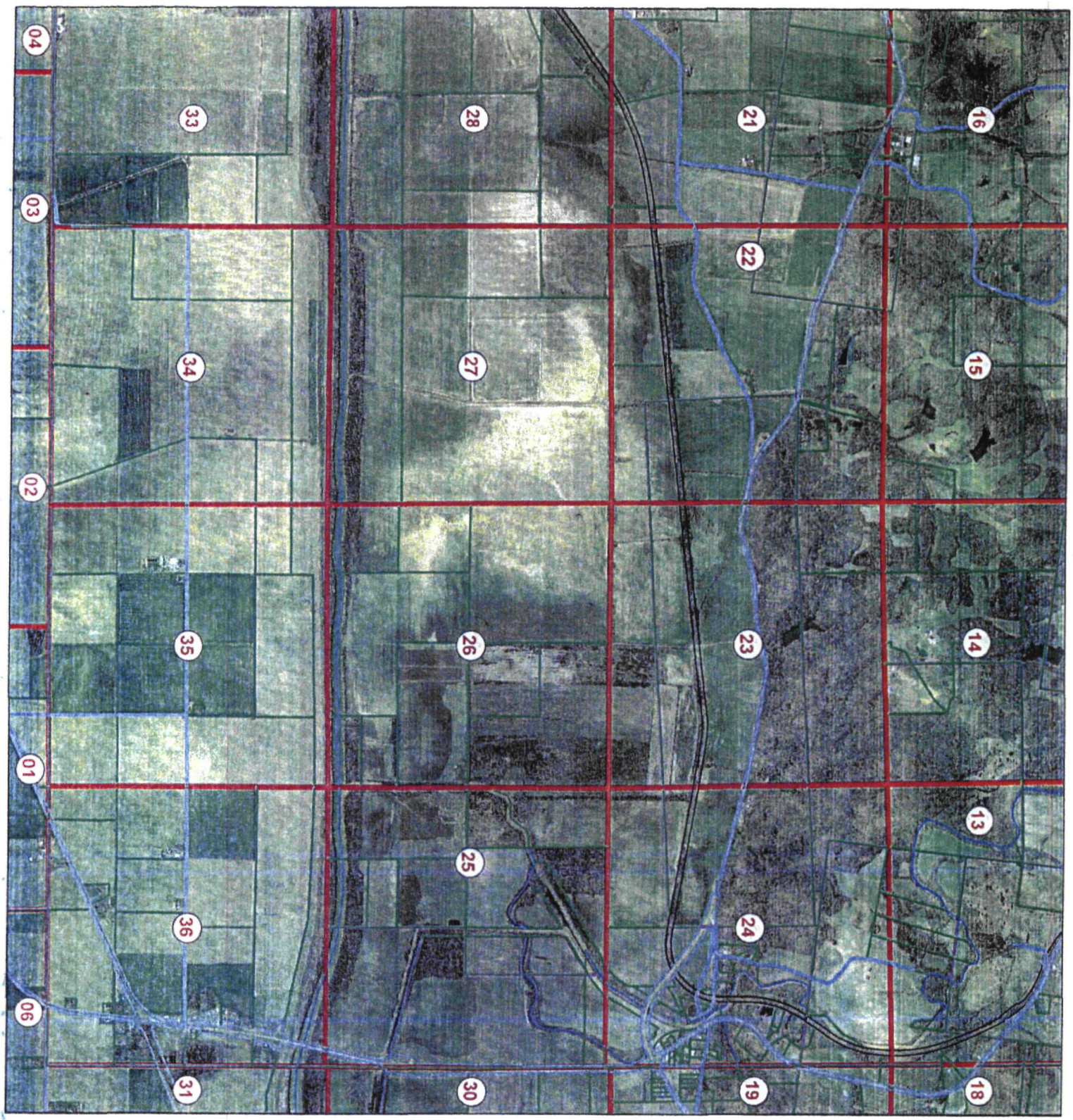
MAP INDEX



1 inch = 2,500 feet

Twp 30 Rng 12
SECTION
TOWNSHIP
RANGE
MAP NO.
sds
Nov 08, 2011

Twp 29 Rng 12



CAPE
GIRARDEAU
COUNTY

Twp 31 Rng 12

Twp 30 Rng 12



Prepared By
SARAH D. HARRIS, INC.
for the
CAPE GIRARDEAU COUNTY COURT

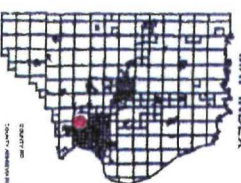
Legend

Boundary
FCODE

- Block Line
- County Line
- Parcel Line
- RR ROW Line
- Road ROW Line
- Section Line
- State Line
- Twp/Rng Line
- Water/Parcel Line
- Unknown

THIS MAP IS A REPRESENTATION OF THE PUBLIC DATA OF THE MISSOURI DEPARTMENT OF REVENUE. IT IS NOT A GUARANTEE OF THE ACCURACY OF THE DATA. THE MISSOURI DEPARTMENT OF REVENUE IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE USER ASSUMES ALL LIABILITY FOR THE USE OF THIS INFORMATION.

MAP INDEX



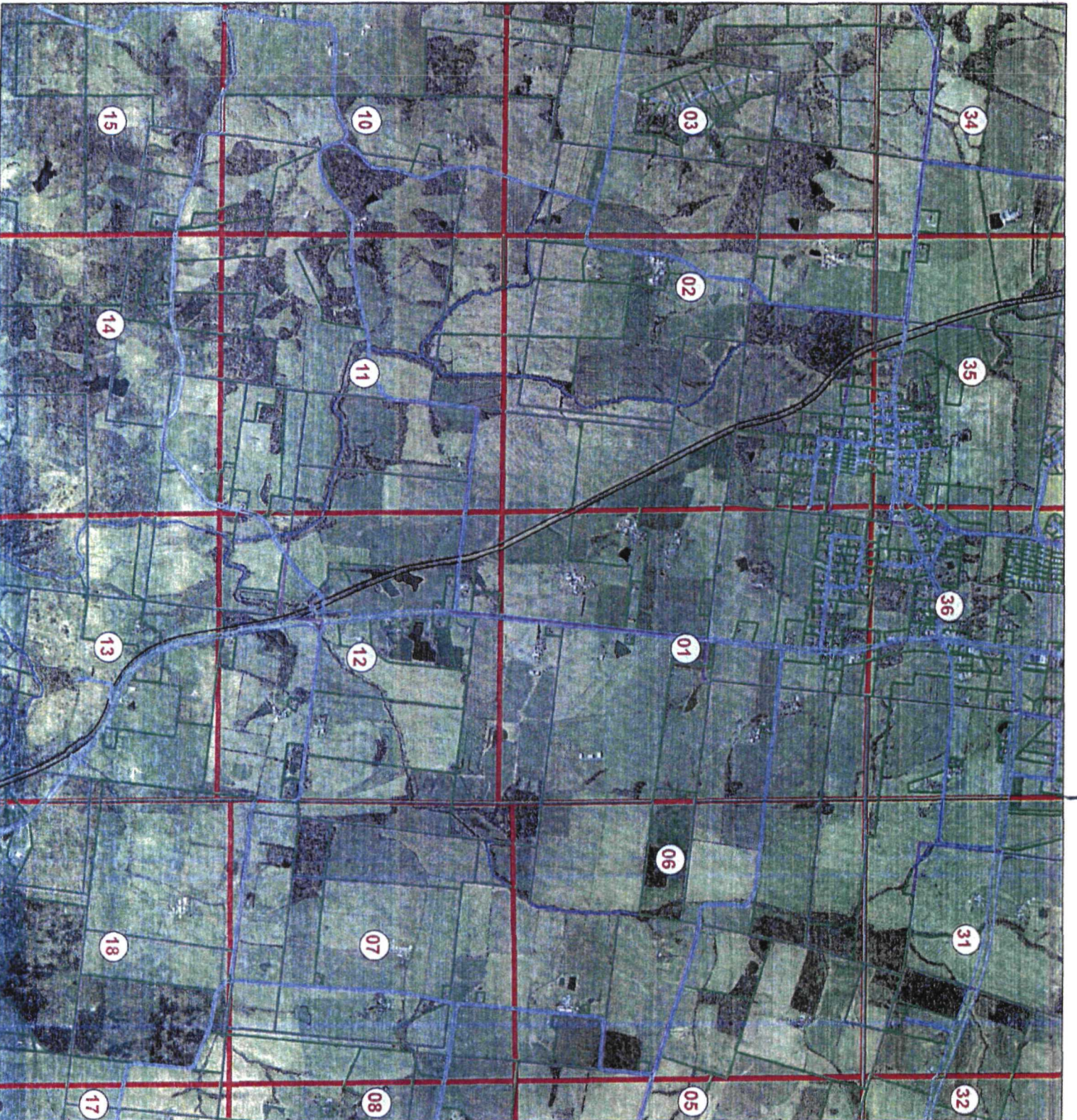
SECTION 10
TOWNSHIP 30
RANGE 12
MAP NO. 10

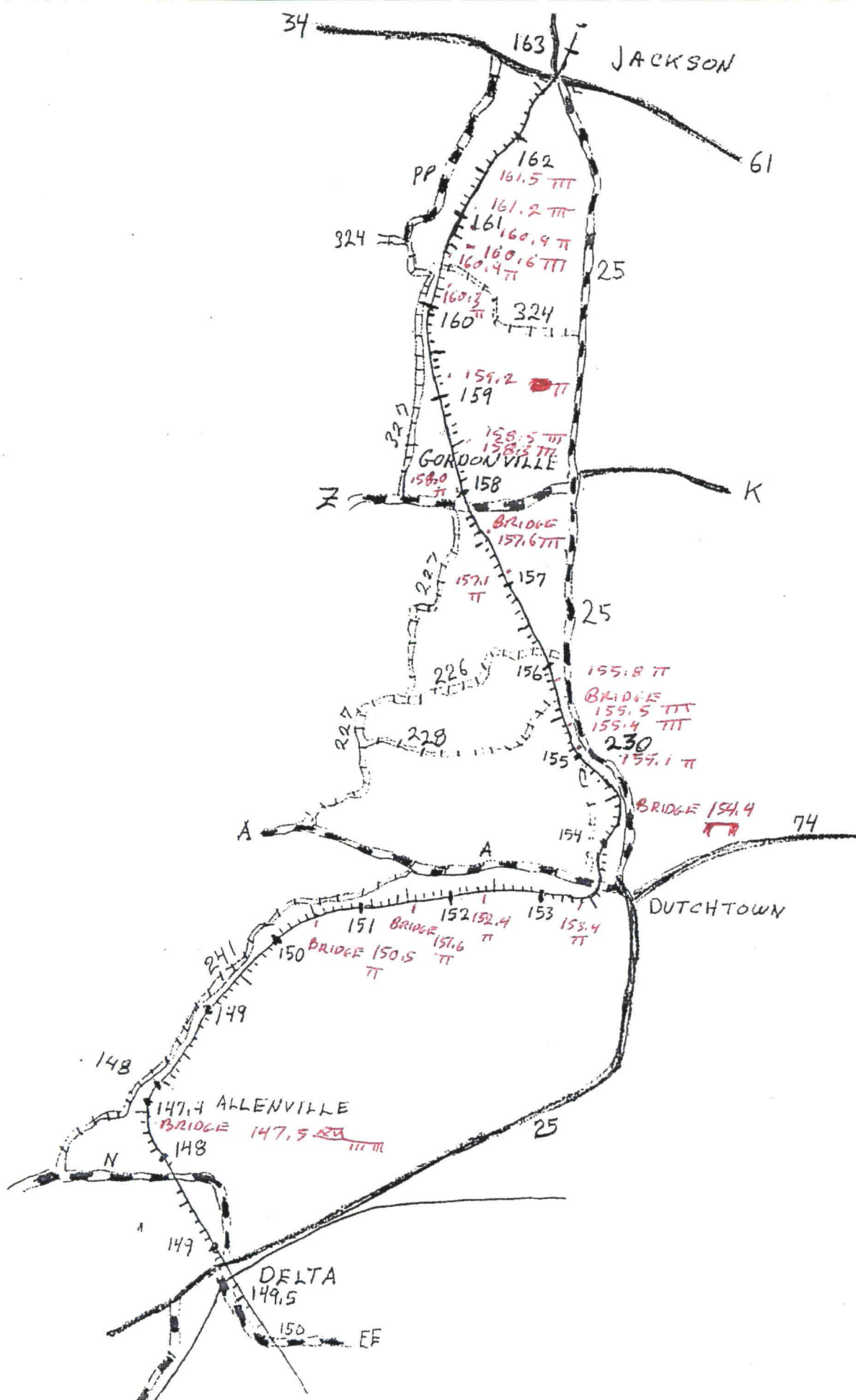
1 inch = 2,500 feet

S d S

Nov 08, 2011

SECTION
TOWNSHIP
RANGE
MAP NO.





**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-1088X

**JACKSON, GORDONVILLE AND DELTA RAILROAD COMPANY
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION –
LINE IN CAPE GIRARDEAU COUNTY, MISSOURI**

EXEMPTION NOTICE

EXHIBIT C

**CERTIFICATIONS OF
SERVICE/PUBLICATION**

Certificate of Service

49 CFR 1152.50(d)(1) – Notice

I certify that, in accordance with the advance notice provisions of 49 CFR 1152.50(d), Jackson, Gordonville and Delta Railroad Company has given written notice of its intent to use the notice of exemption procedures to abandon and to discontinue service over approximately 13.3 track miles of rail line located entirely in Cape Girardeau County, Missouri. Specifically, on April 23, 2012, I caused written notice (an example of which is attached hereto as Attachment 1) to be served on the following:

Missouri Public Service Commission
Governor Office Building
200 Madison Street
Jefferson City, Missouri 65101

SDDC TEA
Attn: MTT-SA
Dave Dorfman
709 Ward Drive, Bldg. 1990
Scott Airforce Base, Illinois 62225

Charlie Stockman
Rivers, Trails and Conservation Assistance Program
National Park Service
1201 Eye St., NW, Suite 550B
Washington, DC 20005

Chief Tom Tidwell
U.S. Forest Service
Department of Agriculture
1400 Independence Ave., S.W.
Washington, D.C. 20250-0003

April 23, 2012



W. Robert Alderson
ALDERSON, ALDERSON, WEILER,
CONKLIN, BURGHART & CROW, L.L.C.
2101 S.W. 21st Street
Topeka, Kansas 66604
(785) 232-0753
Attorney for Jackson, Gordonville and Delta Railroad Company

April 23, 2012

Missouri Public Service Commission
Governor Office Building
200 Madison Street
Jefferson City, Missouri 65101

Re: *Jackson, Gordonville and Delta Railroad Company – Abandonment*
Exemption – Line In Cape Girardeau County, MO, STB Docket No. AB-1088X

To Missouri Public Service Commission:

On or after May 14, 2012, Jackson, Gordonville and Delta Railroad Company (“JGD Railroad”) expects to file with the U.S. Surface Transportation Board (“STB”) a Notice of Exemption pursuant to 49 CFR 1152.50, Subpart F, seeking to abandon approximately 13.3 track miles of rail line (the “Line”) located entirely in Cape Girardeau County, Missouri, extending from its southern terminus in the City of Delta, Missouri, at Railroad Milepost 149.4 in Section 9, Township 29 North, Range 13 East of the 6th P.M.; thence, from its southern terminus, the Line extends northwesterly through the City of Delta and through Section 5, Township 29 North, Range 13 East of the 6th P.M. to the Town of Allenville, Missouri in Section 31, Township 30 North, Range 12 East of the 6th P.M.; thence the Line extends northeasterly and easterly through Sections 31, 32, 29, 28, 21, 22, 23 and 24, Township 30 North, Range 12 East of the 6th P.M. to the Town of Dutchtown, Missouri; thence the Line extends northerly and northwesterly from the Town of Dutchtown through Sections 24, 13, 12, 1 and 2, Township 30 North, Range 12 East of the 6th P.M. to Railroad Milepost 157.9, which is 1,394 feet south of the centerline of Missouri Highway Z, the northern terminus of the Line, near the Village of Gordonville, Missouri. The Line traverses territory included in United States Postal Service Zip Codes 63740, 63744 and 63752.

This letter is being sent to you pursuant to the requirements of 49 CFR 1152(d). In addition, pursuant to the STB’s regulations at 49 CFR Part 1105, JGD Railroad has prepared a draft Combined Environmental and Historic Report describing the proposed action and any expected environmental and historic effects. When completed, this report will be filed with the STB in the above-referenced docket. In preparation of this report, JGD Railroad is seeking your input and comment, and a copy of the draft report is enclosed.

At this time and based on information in JGD Railroad's possession, JGD Railroad does not anticipate that any adverse environmental or historic effects would result from the proposed abandonment. Likewise, based on information in JGD Railroad's possession, the Line does not contain federally granted rights-of-way. Any documentation in JGD Railroad's possession will be made available promptly to those requesting it. Attached to the enclosed report as Exhibits 1-1, 1-2 and 1-3 are maps which identify the proposed project.

If you wish to offer any information in response to the enclosed Combined Environmental and Historic Report, or if you have any questions regarding the proposed rail line abandonment, please contact JGD Railroad's representative, W. Robert Alderson of the law firm of ALDERSON, ALDERSON, WEILER, CONKLIN, BURGHART & CROW, L.L.C., 2101 S.W. 21st Street, Topeka, Kansas 66604; by facsimile at (785) 232-1866; by e-mail at boba@aldersonlaw.com; or by telephone at (785) 232-0753. If you have any questions about the STB's environmental review process, please review the regulations or contact me or the STB's Office of Environmental Analysis ("OEA"), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423-0001; TEL: (202) 245-0295 and refer to STB Docket No. AB-1088X.

Very truly yours,

W. Robert Alderson
ALDERSON, ALDERSON, WEILER,
CONKLIN, BURGHART & CROW, L.L.C.
Attorney for Jackson, Gordonville and
Delta Railroad Company

WRA/jk
Enclosure

Certificate of Compliance with Environmental and Historic Report Service Requirements

49 CFR 1105.11 – Distribution of Combined Environmental and Historic Report

I certify that Jackson, Gordonville and Delta Railroad Company has complied with the Environmental and Historic Report distribution requirements of 49 CFR 1105.7(b) and 1105.8(c), and with the related transmittal letter requirements of 49 CFR 1105.11. Specifically, on April 23, 2012, I caused a transmittal letter in the form prescribed at Section 1105.11 (an example of which is attached hereto as Attachment 2) and a copy of the subject Combined Environmental and Historic Report (an example of which is appended hereto as Attachment 3) to be distributed to the following:

Sara Parker Pauley, Director
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102

Cape Girardeau County Commission
c/o Kara Clark Summers, County Clerk of Cape Girardeau County
#1 Barton Square, Suite 301
Jackson, MO 63755

Regional Administrator
U.S. Environmental Protection Agency
Region 7
901 N. 5th Street
Kansas City, KS 66101

Office of Regional Counsel, Region 7
U.S. Environmental Protection Agency
901 N. 5th Street
Kansas City, KS 66101

U.S. Fish and Wildlife Service
Region 3
BHW Federal Building
One Federal Drive
Fort Snelling, MN 55111

Commander
U.S. Army Corps of Engineers, St. Louis District
Attn: CEMVS-OD-F (GRAMKE)
1222 Spruce Street
St. Louis, Missouri 63103

Midwest Regional Office
National Park Service
601 Riverfront Drive
Omaha, NE 68102

State Conservationist
USDA, Natural Resources Conservation Service
Missouri State Office
Parkade Center, Suite 250
601 Business Loop 70 West
Columbia, MO 65203-2546

Simon Monroe
National Geodetic Survey
NOAA, N/NGS12
SSMC-3, #9202
1315 East-West Highway
Silver Spring, MD 20910-3282

Mark Miles, Director
State Historic Preservation Office
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102

Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102-0360


Chief Tom Tidwell
U.S. Forest Service
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, D.C. 20250-0003

Kevin Keith, Director
Missouri Department of Transportation
105 W. Capitol Avenue
Jefferson City, MO 65102

SDDC TEA
Attn: MTT-SA
Dave Dorfman
709 Ward Drive, Bldg. 1990
Scott Airforce Base, IL 62225

Vicki Rutson, Director
Office of Environmental Analysis
U.S. Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423-0001

April 23, 2012



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Delta Railroad Company

April 23, 2012

Sara Parker Pauley, Director
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, Missouri 65102

Re: *Jackson, Gordonville and Delta Railroad Company – Abandonment Exemption –
Line In Cape Girardeau County, Missouri, STB Docket No. AB-1088X*

Dear Director Pauley:

On or after May 14, 2012, Jackson, Gordonville and Delta Railroad Company ("JGD Railroad") expects to file with the U.S. Surface Transportation Board ("STB") a Notice of Exemption pursuant to 49 CFR 1152.50, Subpart F, for JGD Railroad to abandon approximately 13.3 track miles of rail line (the "Line") located entirely in Cape Girardeau County, Missouri, extending from its southern terminus in the City of Delta, Missouri, at Railroad Milepost 149.4 in Section 9, Township 29 North, Range 13 East of the 6th P.M.; thence, from its southern terminus, the Line extends northwesterly through the City of Delta and through Section 5, Township 29 North, Range 13 East of the 6th P.M. to the Town of Allenville, Missouri in Section 31, Township 30 North, Range 12 East of the 6th P.M.; thence the Line extends northeasterly and easterly through Sections 31, 32, 29, 28, 21, 22, 23 and 24, Township 30 North, Range 12 East of the 6th P.M. to the Town of Dutchtown, Missouri; thence the Line extends northerly and northwesterly from the Town of Dutchtown through Sections 24, 13, 12, 1 and 2, Township 30 North, Range 12 East of the 6th P.M. to Railroad Milepost 157.9, which is 1,394 feet south of the centerline of Missouri Highway Z, the northern terminus of the Line, near the Village of Gordonville, Missouri. The Line traverses territory included in United States Postal Service Zip Codes 63740, 63744 and 63752.

Enclosed is a Combined Environmental and Historic Report describing the proposed abandonment and any expected environmental and historic effects. Attached to the report as Exhibits 1-1, 1-2 and 1-3 are maps which identify the proposed project. We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing or if you have any questions about the STB's environmental review process, please contact the Office of Environmental Analysis ("OEA"), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423-0001; TEL: (202) 245-0295 and refer to STB Docket No. AB-1088X.

Sara Parker Pauley, Director
April 23, 2012
Page 2 of 2

Attachment 2
Page 2 of 2

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the OEA (at the address provided above) along with a copy to me (at the address provided below) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts, if any, of the contemplated action.

If there are any questions concerning this proposal, please contact me at 2101 S.W. 21st Street, Topeka, Kansas 66604; by facsimile at (785) 232-1866; by e-mail at boba@aldersonlaw.com; or by telephone at (785) 232-0753.

Very truly yours,

W. Robert Alderson
ALDERSON, ALDERSON, WEILER,
CONKLIN, BURGHART & CROW, L.L.C.
Attorney for Jackson, Gordonville and
Delta Railroad Company

Enclosure

cc: Vicki Rutson, Director
Office of Environmental Analysis (OEA)
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-1088X

**JACKSON, GORDONVILLE AND DELTA RAILROAD COMPANY
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION –
LINE IN CAPE GIRARDEAU COUNTY, MISSOURI**

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

In connection with the above-captioned proceeding, Jackson, Gordonville and Delta Railroad Company (“JGD Railroad”) intends to file a notice of exemption with the U.S. Surface Transportation Board (“STB” or “Board”) to abandon its rail line located in Cape Girardeau County, Missouri. In accordance with the requirements of 49 CFR 1105.7 (Environmental Reports) and 1105.8 (Historic Reports), which provisions apply to rail line abandonments (including, as is the case here, a rail line abandonment under the notice of exemption procedures at 49 CFR Part 1152, Subpart F), JGD Railroad submits its Combined Environmental and Historic Report.

**ENVIRONMENTAL REPORT
49 CFR 1105.7(e)(1)-(11)**

49 CFR 1105.7(e)(1) Proposed Action and Alternatives

Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

JGD Railroad proposes to abandon approximately 13.3 track miles of its rail line located entirely in Cape Girardeau County ("County"), Missouri. The southern terminus of the line proposed for abandonment ("Line") is in the City of Delta, Missouri, at Railroad Milepost 149.4 in Section 9, Township 29 North, Range 13 East of the 6th P.M.; from its southern terminus, the Line extends northwesterly through the City of Delta and through Section 5, Township 29 North, Range 13 East of the 6th P.M. to the Town of Allenville, Missouri in Section 31, Township 30 North, Range 12 East of the 6th P.M.; thence the Line extends northeasterly and easterly through Sections 31, 32, 29, 28, 21, 22, 23 and 24, Township 30 North, Range 12 East of the 6th P.M. to the Town of Dutchtown, Missouri; thence the Line extends northerly and northwesterly from the Town of Dutchtown through Sections 24, 13, 12, 1 and 2, Township 30 North, Range 12 East of the 6th P.M. to Railroad Milepost 157.9, which is 1,394 feet south of the centerline of Missouri Highway Z, the northern terminus of the Line, near the Village of Gordonville, Missouri.

By utilizing the two-year out-of-service notice of exemption procedures at 49 CFR 1152.50, JGD Railroad anticipates that it will obtain authority to abandon the Line fifty (50) days after JGD Railroad's Notice of Exemption is filed with the STB on or after May 14, 2012.

If the proposed abandonment is approved pursuant to the exemption notice, JGD Railroad will remove or cause to be removed the rails, ties and other salvageable materials from the Line's roadbed.

The only alternative to abandonment would be not to abandon the Line and allow it to remain an inactive JGD Railroad asset. Because the Line has been inactive for a number of years, it has not been the subject of any regular maintenance. Accordingly, the proposed abandonment would not result in any material changes to JGD Railroad's operations or maintenance practices.

Maps of the Line are attached hereto as **Exhibit 1-1**, **Exhibit 1-2** and **Exhibit 1-3**. **Exhibit 1-1** is a copy of the relevant portion (8 ½ x 11) of the current USGS 7.5 Min. Topographic Map of the area traversed by the Line. This map is identified as Cape Girardeau Mo.-Ill.-Ky, 37089-A1-TM-100. It is a 1986 map providing a 30 x 60 minute quadrangle.

The map attached as **Exhibit 1-2** consists of two pages, which were copied from the 2011 Cape Girardeau County Plat Book and constitute pages 39 and 45 in that plat book. On both pages, the Line is highlighted in green. The first page of this map (Plat Book page 39) shows the location of the Line in Township 30 North, Range 12 East of the 6th P.M., and the second page (Plat Book page 45) shows the location of the Line in Township 29 North, Range 12 East of the 6th P.M.

The map attached as **Exhibit 1-3** is a three-page aerial photo map, which was prepared by the Cape Girardeau Office of Mapping and Appraisal. This map more clearly shows the agricultural nature of the land traversed by the Line.

Also attached as **Exhibit 1-4** is a hand-drawn graphic which identifies the locations of the 22 bridges on the Line. South of Gordonville, the Line crosses Hubble Creek and also Williams Creek. South of Dutchtown the Line again crosses Hubble Creek several times, but prior to these crossings Williams Creek has merged into Hubble Creek. Between the Town of Allenville and the City of Delta, the Line crosses one of the eleven Diversion Channels in this area. This crossing is enabled by a 1,650 foot steel girder span. **Exhibit 1-4** will be discussed further in connection with the Historic Report.

1105.7(e)(2) Transportation System

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

No passenger or freight traffic will be diverted to other modes as a result of the proposed abandonment. There have been no rail freight shipments or overhead traffic on the Line for more than twenty years. Hence, no rail passenger or freight traffic will be diverted to other modes of transportation as a result of the proposed action and, accordingly, the proposed abandonment should have no adverse effects on regional or local transportation systems and patterns.

1105.7(e)(3) Land Use

(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

The County does not have a land use planning agency. However, JGD Railroad believes the proposed abandonment is consistent with existing local land use. The land adjoining the entirety of the Line is primarily agricultural in character and includes expansive areas of woodlands. Attached hereto as **Exhibit 2** are 26 photographs (**Exhibits 2-1 through 2-26**) taken of selected segments of the Line and the land adjoining the Line. They illustrate the expansive woodland areas as well as the agricultural nature of the land adjoining the Line.

A copy of this report will be sent to the County Clerk of the County, along with a request for the County's review and comment. If the County responds to JGD Railroad's request to comment on this Report, JGD Railroad will promptly provide to the Board any relevant information.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

As noted previously in item (3)(i) above, the land traversed by the Line is primarily agricultural in character, with expansive woodland areas. The aerial photo map attached as

Exhibit 1-3 illustrates the agricultural character of the land surrounding the Line. Also, the photographs in **Exhibits 2-20 to 2-26** show the rural, agricultural nature of this land, and the photographs in **Exhibits 2-1 to 2-15 and 2-19** show some of the expansive woodland areas traversed by the Line.

Upon the Board's approval of the Line's abandonment, the rails, ties and other track materials, except ballast, will be removed from the roadbed. The roadbed will be graded to a relatively smooth condition. Because JGD Railroad does not own the Line's right-of-way in fee, upon abandonment, the servient estate owners (presumably adjoining landowners) will have unrestricted access to the Line's right-of-way, thereby enabling its use for agricultural purposes. Thus, JGD Railroad submits that it is highly unlikely that there is any prime agricultural land adjoining the Line that would be adversely affected by the proposed abandonment.

A copy of this report will be sent to the United States Department of Agriculture, Natural Resources Conservation Service ("USDA/NRCS") along with a request for its review and comment. If the agency responds to such request, JGD Railroad will forward to the Board any relevant information.

(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9.

It does not appear that the State of Missouri has a Coastal Zone Management Program. Thus, JGD Railroad does not believe the Line passes through a designated coastal zone. To confirm this understanding, a copy of this report will be sent to the Missouri Department of Natural Resources ("MDNR") along with a request for its review and comment. If the agency responds to this request, any relevant information in the response will be forwarded to the Board.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10905 and explain why.

The Line may be suitable for development as a recreational trail, but JGD Railroad is unaware of any state or local agency or private organization having an interest in doing so. Thus,

JGD Railroad does not anticipate that a Notice of Interim Trail Use will be requested in connection with the Notice of Exemption to be filed by JGD Railroad

1105.7(e)(4) Energy

(i) Describe the effect of the proposed action on transportation of energy resources.

The proposed abandonment involves a Line that has not had any local or overhead traffic for well over two years (since 1990). For this reason, the proposed abandonment will have no effect on the transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

The proposed abandonment will have no effect on the transportation of recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

The proposed abandonment involves a Line that has had no local or overhead traffic for well over two years (since 1990). Thus, the proposed abandonment will have no effect on overall energy efficiency.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

The proposed abandonment will not cause any such rail-to-motor carrier traffic diversions. As indicated above, there is no traffic on the Line, and thus none that would be diverted as a result of abandonment.

1105.7(e)(5) Air

(i) If the proposed action will result in either: (A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or (B) an increase in rail yard activity of at least 100 percent (measured by carload activity), or (C) an average increase in truck-traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10505) to construct a new line or

reinstitute service over a previously abandoned line, only the eight train a day provision in sub-section (5)(i)(A) will apply.

The above thresholds will not be exceeded as a result of the proposed abandonment.

(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either: (A) an increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line; (B) an increase in rail yard activity of at least 20 percent (measured by carload activity); or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. 10901(or 49 U.S.C. 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

To the extent that they apply in this case (an out-of-service rail line abandonment), the above thresholds will not be exceeded as a result of abandonment.

(iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Not applicable.

1105.7(e)(6) Noise

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more; or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

None of the thresholds identified in item (5)(i) of this section will be exceeded.

1105.7(e)(7) Safety

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

The proposed abandonment will have no detrimental effects on public health and safety.

There are six at-grade crossings of the Line. Three of them are county road crossings and three

are state highway crossings. If abandonment of the Line is approved by the Board, each of these crossings will be placed in a condition which satisfies requirements of the public authority having jurisdiction of the crossing. To the extent that the elimination of the at-grade rail crossings improves traffic flow and/or road conditions, then it may be said that the proposed abandonment would benefit public safety.

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

Not applicable.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Not applicable

1105.7(e)(8) Biological Resources

(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

On November 23, 2011, legal counsel for JGD Railroad wrote to Charles Scott, Field Supervisor for the Ecological Services Field Office of the U.S. Fish and Wildlife Service ("USFWS") in Columbia, Missouri. Enclosed with that letter were three maps showing the Line. These are the same maps that are attached hereto as **Exhibit 1-1**, **Exhibit 1-2** and **Exhibit 1-3**. The letter to Mr. Scott advised that, by following the consultation process pursuant to Section 7 of the Endangered Species Act, as found on the USFWS website, JGD Railroad identified the following endangered or threatened plant, fish and wildlife species in the County:

<u>GROUP</u>	<u>NAME</u>	<u>STATUS</u>
Birds	Least Tern (Sterna Antillarum)	Endangered

Fishes	Pallid Sturgeon (Scaphirhynchus Albus)	Endangered
Flowering Plants	Decurrent False Aster (Boltonia Decurrens)	Threatened

The letter explained the salvage operations which will occur if the Board approves the Line's abandonment, but suggested that the salvage operations would not adversely affect the foregoing endangered on threatened species. The USFWS concurred. By a note dated December 3, 2011, Mr. Scott stated:

“The U.S. Fish and Wildlife Service (Service) has reviewed the proposed action and determined that no federally listed species, candidate species, or designated critical habitat occurs within the project area. Furthermore, the Service has determined that this action will have negligible impacts on wetlands, migratory birds, fish and wildlife resources.”

Notwithstanding, JGD Railroad will send a copy of this Report to the USFWS, with a request for review and comment, in order to confirm the foregoing statement of Mr. Scott. If there is a response which differs from this statement, it will be forwarded to the Board.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

JGD Railroad does not believe any National or State parks or forests will be affected by this proposed abandonment. However, JGD Railroad will notify the National Park Service of the proposed abandonment by providing the agency with a copy of this Report, and will request the agency to review and comment on this Report. If a response is made, JGD Railroad will provide relevant information to the Board.

1105.7(e)(9) Water

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

JGD Railroad is confident that the proposed abandonment will be accomplished in a manner consistent with applicable water quality standards. In connection with this matter, JGD Railroad will notify MDNR and the United States Environmental Protection Agency ("EPA") of the proposed abandonment, and, with that notification, will include a request for the agencies' review of this report and their comments upon it.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

JGD Railroad believes that no permits under Section 404 of the Clean Water Act would be required for the proposed abandonment. There are no plans by JGD Railroad to remove or alter the contour of the roadbed underlying the Line, and the abandonment and discontinuance involve no plans to undertake in-stream work, or to dredge and/or use fill materials. No discernible effects on either 100-year flood plains or any wetlands in the area are expected in connection with the proposed abandonment and discontinuance. Consequently, JGD Railroad does not believe a Section 404 permit will be required with respect to the proposed abandonment and discontinuance. However, JGD Railroad will send a copy of this Report to the U.S. Army Corps of Engineers ("USACE"), along with a request for its input and comment upon the Report.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action.

JGD Railroad believes that no permits under Section 402 of the Clean Water Act would be required for the proposed abandonment. Upon obtaining authority from the Board to abandon the Line, any salvage operations would be accomplished via access over the existing railroad right-of-way, along with existing access over the various public roads and highways that cross the Line at grade. Salvage operations will be limited to removal of the rails, ties and other track materials, except ballast. JGD Railroad will not permit the salvage operator to create any access roads to reach the various sections of the Line. In addition, JGD Railroad does not intend to

perform or allow any activities that would cause sedimentation or erosion of the soil, and it does not anticipate any dredging or use of fill in the removal of the salvage materials. No debris will be discarded along the right-of-way as a result of salvage activities, nor will it be placed or deposited into streams or waterways, or along the banks of such waterways. Any work along the right-of-way will be subject to appropriate measures to prevent or control spills from fuels, lubricants or any other pollutant materials. Further, there are no plans by JGD Railroad to remove or alter the contour of the roadbed underlying the Line. There should be no significant effect on water quality. Thus, for all of the above and foregoing reasons, JGD Railroad does not believe that any permits under Section 402 of the Clean Water Act will be required.

In a letter dated April 18, 2012, legal counsel for JGD Railroad provided the foregoing information to David Stinson, Chief, Engineering Unit, MDNR's Southeast Regional Office in Poplar Bluff, Missouri, with a request that Mr. Stinson confirm JGD Railroad's understanding that its salvage operations will not require a permit pursuant to the requirements of Section 402 of the Clean Water Act. When Mr. Stinson's response is received, it will be forwarded to the Board.

As indicated in item (9)(i) above, JGD Railroad will be sending a copy of this Report, along with a request for review and comment, to the MDNR office in Jefferson City, Missouri, and to the EPA.

1105.7(e)(10) Proposed Mitigation

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

There will be no adverse environmental impact within the subject project area as a result of the proposed rail line abandonment; therefore, mitigation will not be necessary.

1105.7(e)(11) Additional Information for Rail Construction

Not applicable.

HISTORIC REPORT
49 CFR 1105.8(d)(1)-(9)

1105.8(d) Proposed Action and Alternatives

The Board's rules governing Historic Reports require that such reports contain the same information regarding the "proposed action and alternatives" as is required by section 1105.7(e)(1) in connection with Environmental Reports. Because this document is a Combined Environmental and Historic Report, detailed information concerning the "proposed action and alternatives" is set forth in the preceding Environmental Report section of this docket, and JGD Railroad hereby incorporates by reference in the Historic Report the information provided above in response to the requirements of section 1105.7(e)(1).

1105.8(d)(1) Map

A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.

The maps attached to this Report are identified and explained in response to Section 1105.7(e)(1). As noted there, the map attached as **Exhibit 1-1** is a topographic map of the area traversed by the Line. **Exhibit 1-2** and **Exhibit 1-3** also should be of assistance in identifying the Line's route in the County. These maps were included as attachments to a Memorandum prepared by JGD Railroad's legal counsel, which accompanied the Section 106 Project Information Form that was submitted to the Missouri State Historic Preservation Office on April 4, 2012. That form was submitted pursuant to Section 106 of the National Historic Preservation Act of 1966 (as amended). JGD Railroad has not received a response to its request for a review by that agency of the historic properties on the Line, but when the response is received, it will be forwarded to the Board.

JGD Railroad's legal counsel also has been in communication with the National Geodetic Survey ("NGS"), and the NGS has identified the following geodetic survey marks that may be located on or in proximity to the Line.

| |HBO974 | . | 2|88/ADJUSTED |N371143| |W0894408 |C ... |N 141
| |HBO996 | . | 1|88/ADJUSTED |N371142.17 ...|W0894409 |D ... |PTS F 4

JGD Railroad will engage a surveyor to determine the location of these survey marks and provide the results of the survey to NGS.

1105.8(d)(2) Description of Right-of-Way

A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area.

The Line's right-of-way is approximately 13.3 miles in length, and is generally 50 feet in width. The subject right-of-way includes six at-grade crossings [see response to 1105.7(e)(7)]. The topography of the Line is generally flat and the surrounding area is generally rural, agricultural in character, with expansive woodland areas also present [see response to 1105.7(e)(3)].

1105.8(d)(3) Photographs

Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area.

There are 22 bridges, but no buildings situated on the Line. Attached as **Exhibits 2-1 to 2-19**, are photographs of most of the bridges on the Line. As can be seen from these photographs, extensive portions of the Line have been overgrown with brush and trees, which made the Line impassable in spots and prevented photographs from being taken of all of the bridges. Only 14 of the 22 bridges on the Line were able to be photographed. JGD Railroad does not have records to permit it to state with certainty the history of the bridges on the Line, but it is believed that all of these bridges had their

origins more than 50 years ago. However, it also is believed that, with one exception, all of the bridges have been substantially repaired and/or rebuilt. The one exception is the 1,650 foot steel span which enables the Line to cross a Diversion Channel, which is one of eleven Diversion Channels in this area.

1105.8(d)(4) Background Information on Structures of Interest

The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known.

The photographs in **Exhibits 2-14** through **2-19** provide different views of the steel bridge referenced in item (d)(3) above. **Exhibit 2-14** shows the bridge and the Diversion Channel which it crosses. **Exhibit 2-17** shows the year (1954) in which this structure was constructed. Because the two banks of the Diversion Channel are different elevations, one end of the bridge needed to be elevated. This necessitated an elevated, wooden approach to the bridge that extends approximately one-tenth mile. A portion of that approach is shown in **Exhibit 2-19**.

Attached to this Report as **Exhibit 1-4** is a hand-drawn graphic which identifies in red lettering the locations of the bridges on the Line. Also attached are **Exhibits 2-20** through **2-26**, which are photographs which show the rural, agricultural character of the land adjacent to the Line.

1105.8(d)(5) History of Carrier Operations in the Area

A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action.

The first railroad to actually build a rail line in southeast Missouri was the Iron Mountain Road. It was organized pursuant to a special act of the Missouri legislature in 1851. The rail line extended from St. Louis to Pilot Knob and later it extended into Bollinger County, Missouri, and also connected at Allenville, Missouri. The purpose of

the Iron Mountain Road was to make available the great quantities of iron ore around Iron Mountain, Missouri, to the Mississippi River and other areas. The railroad was reorganized as the St. Louis and Iron Mountain Railroad in 1867. Subsequently, in 1874, it was reorganized once again as the St. Louis Iron Mountain and Southern Railway. In 1917, it was merged with the Missouri Pacific Railroad ("MOPAC"), which later became the Union Pacific Railroad.

The St. Louis Iron Mountain and Southern Railway controlled a number of other railroads, either through the acquisition of capital stock and/or lease agreements. Included among these railroads were: Union Railway of Memphis (1886); Natchez and Southern Railway Company (1902); Coal Belt Railway Company (1904); Coal Belt Electric Railway Company (1904); Natchez and Western Railway (1905); New Orleans and Northwestern Railway Company (1909); Wabash Southern Railway Company (1909); Cairo and Thebes Railway Company (1911); Marion and Harrisburg Railway Company (1913); Marion and Johnston City Railway Company (1913); and Johnston City Connecting Railway Co. (1913).

On February 24, 1984, in ICC Docket No. AB-3 (Sub-No. 35), the Interstate Commerce Commission ("ICC") approved MOPAC's sale to the Jackson Industrial Development Company ("JIDC") of the rail line from Jackson, Missouri, to a point near Delta, Missouri, approximately 18.4 track miles of rail line. On August 12, 1993, pursuant to a Notice of Exemption, JGD Railroad, a non-carrier at that time, acquired that line from JIDC in ICC Finance Docket No. 32328, and was authorized to operate that rail line under the name Jackson and Southern Railroad.

Subsequently, on November 24, 1993, JGD Railroad, in ICC Finance Docket No. 32339, acquired a 0.05 mile segment of rail line from The Golden Cat Railroad Corporation's Delta Branch, pursuant to a Notice of Exemption. This acquisition also was an exempt transaction, since JGD Railroad was still classified as a non-carrier, because it had not consummated the acquisition of the line from JIDC.

1105.8(d)(6) Summary of Documents in MAL Railway's Possession

A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic.

The only document in JGD Railroad's possession that bears upon the historic nature of the bridge structures is a 1986 Engineer's Report prepared by Alfred Benesch & Company, Consulting Engineers. The purpose of this report was to evaluate the rail line between Jackson and Delta, and to determine the physical requirements to restore Federal Railroad Administration Class 2 levels of maintenance on this rail line. The report's conclusions regarding the substantial repairs needed by the bridges on the rail line (which includes the Line) strongly suggests that most of the bridges were repaired during this timeframe.

1105.8(d)(7) Opinion Regarding Historic Character of Structures

An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities).

As noted in response to 1105.8(d)(1), JGD Railroad has requested a Section 106 review of the historical structures on the Line. As soon as the results of that review are known, they will be provided to the Board.

1105.8(d)(8) Known Ground Disturbance or Environmental Conditions

A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of

resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

A portion of the Line was constructed on a series of cuts and fills which appear to date back to the Line's original construction. JGD Railroad has no records to confirm that the subject cuts and fills are original to the line, but it is JGD Railroad's opinion that this is the case.) Over the years, track work and/or construction likely took place on the Line, while it was still in operation. Original track construction and subsequent track work and maintenance may have disturbed the potential for recovery of archaeological resources along the Line. JGD Railroad is not aware of any environmental conditions that would otherwise affect the archaeological recovery of resources.

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

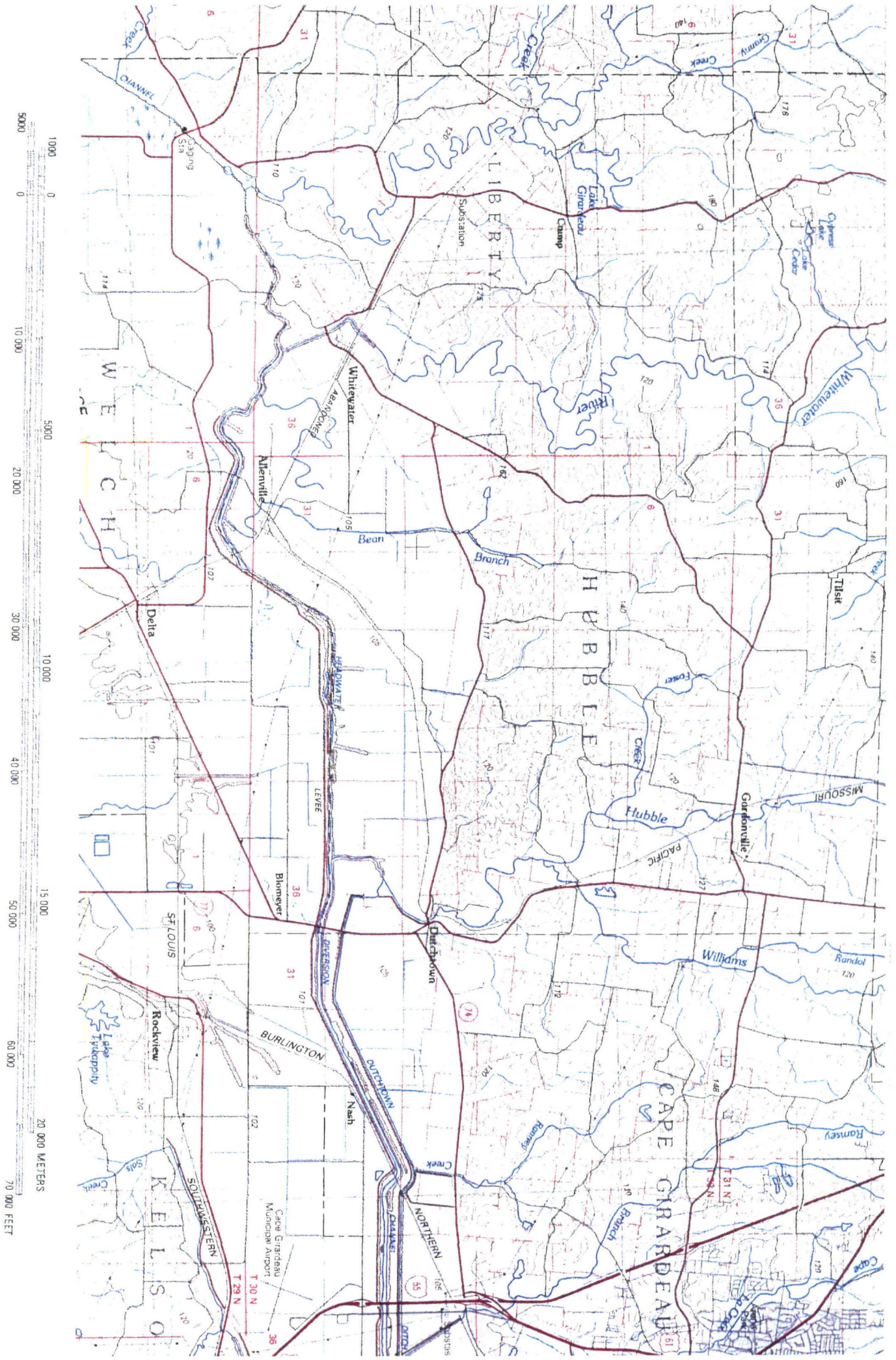
STB DOCKET NO. AB-1088X

**JACKSON, GORDONVILLE AND DELTA RAILROAD COMPANY
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION -
LINE IN CAPE GIRARDEAU COUNTY, MISSOURI**

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

EXHIBIT 1

MAPS



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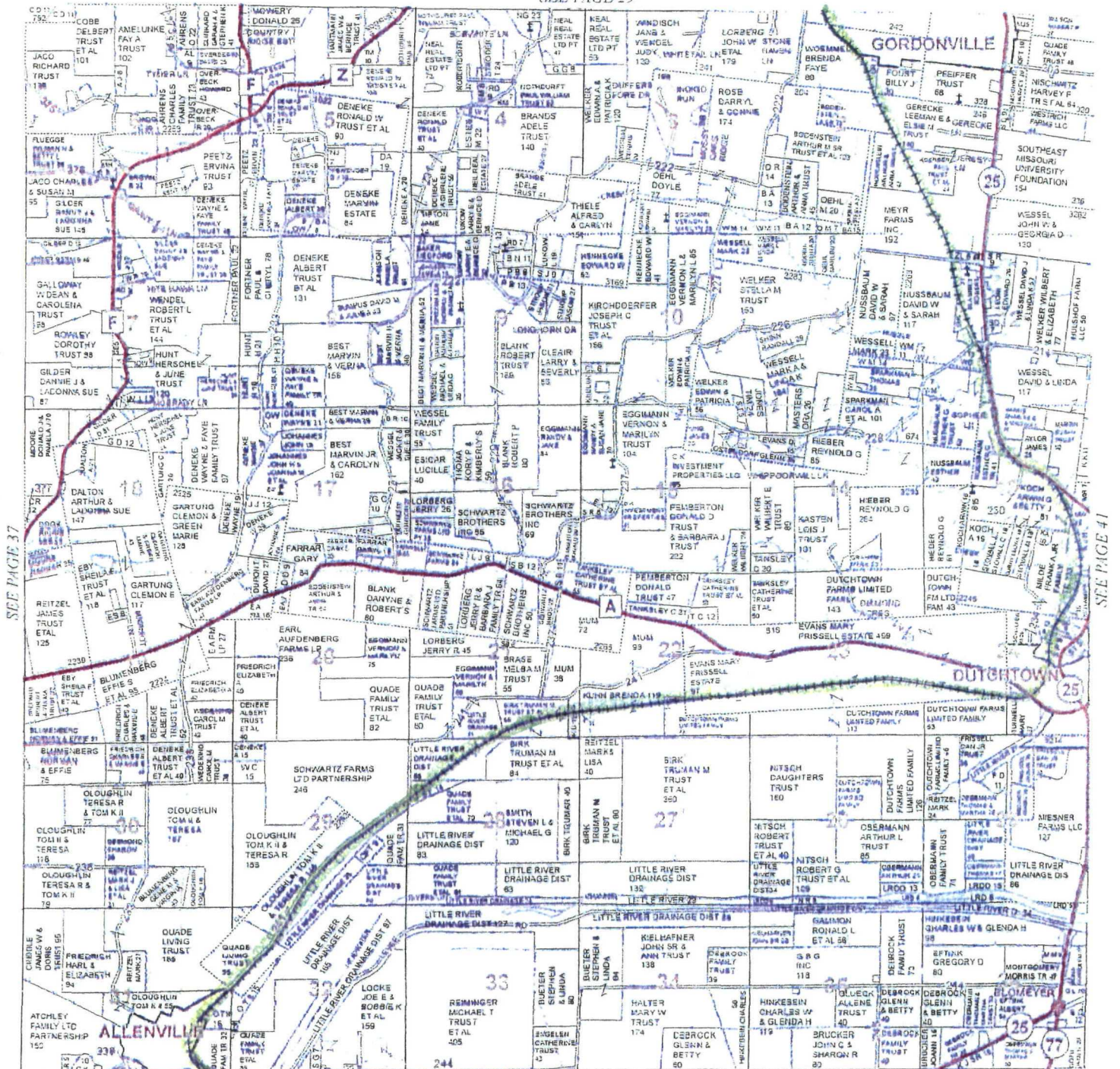
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TOWNSHIP 30N • RANGE 12E

SEE PAGE 29



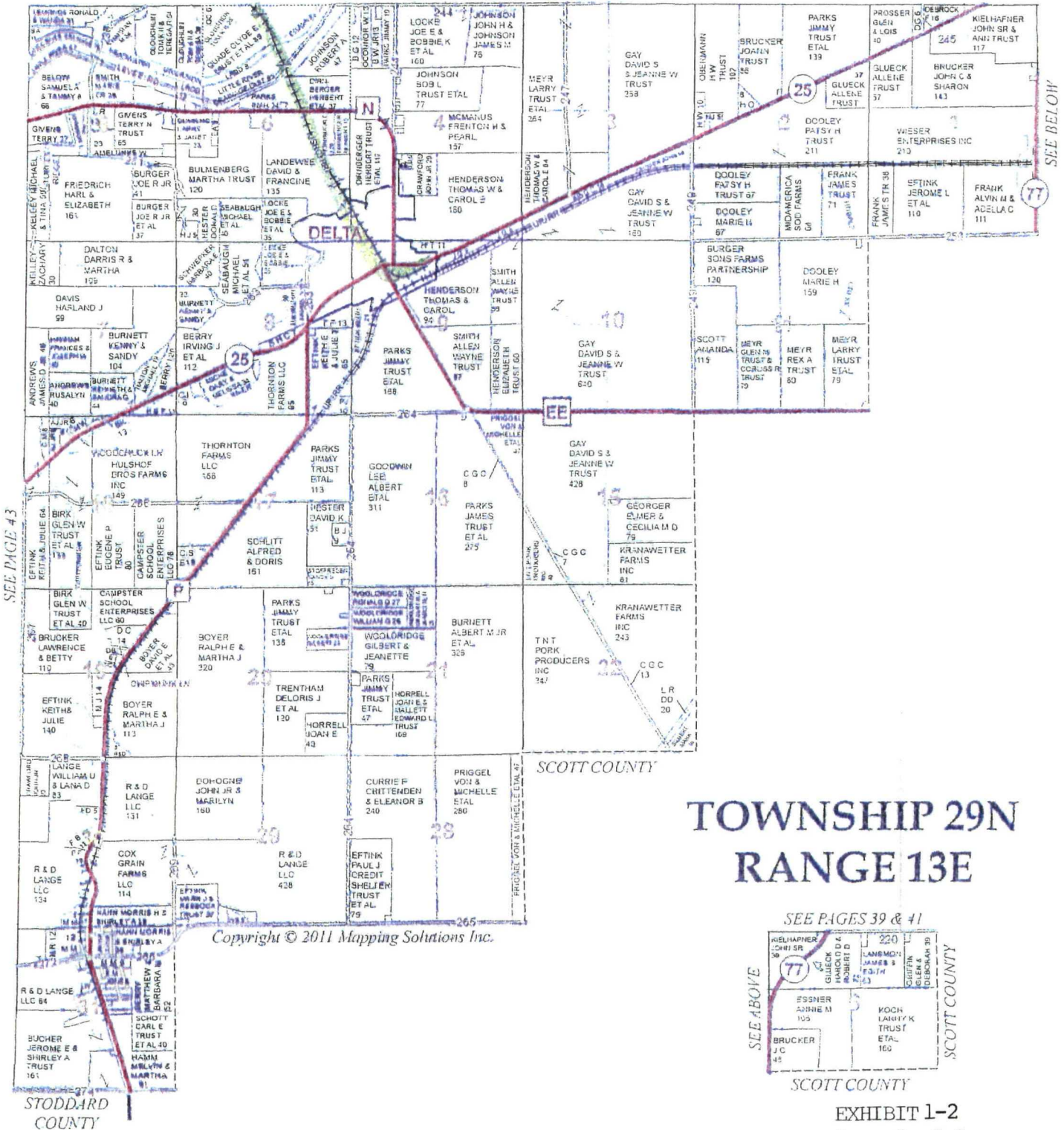
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SEE PAGE 45

EXHIBIT 1-2
Page 1 of 2

TOWNSHIP 29N • RANGE 12E

SEE PAGES 37 & 39



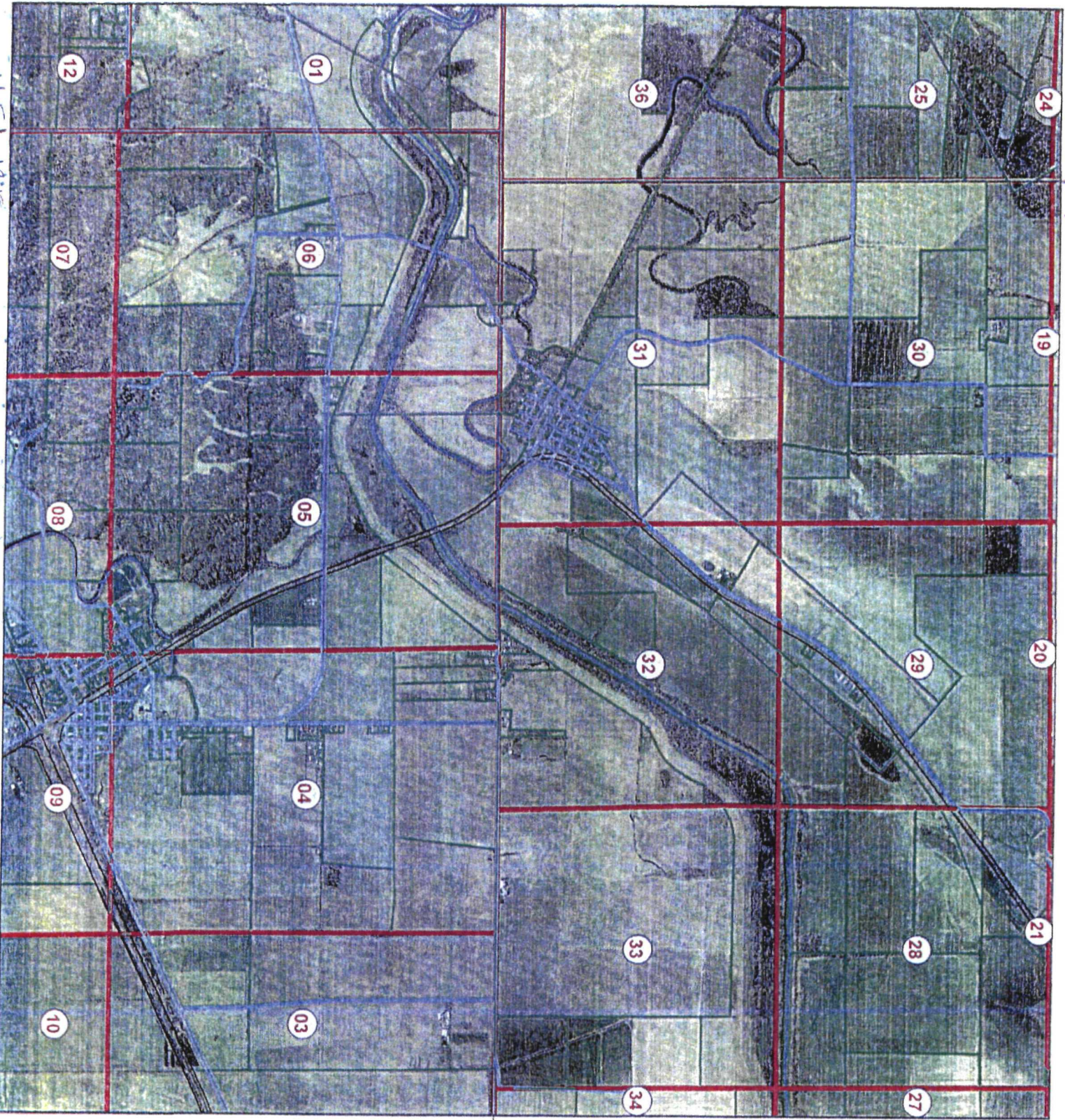
CAPE GIRARDEAU COUNTY



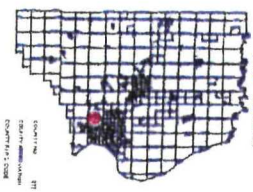
MISSOURI

SMART DATA SYSTEMS, INC.
BY THE
CAPE GIRARDEAU COUNTY COURT

- Legend**
- Boundary
 - FCODE
 - Block Line
 - County Line
 - Parcel Line
 - RR ROW Line
 - Road ROW Line
 - Section Line
 - State Line
 - Twp/Ring Line
 - Water/Parcel Line
 - unknown



MAP INDEX



1 inch = 2,500 feet

SECTION
TOWNSHIP
RANGE
MAP NO.

5 d 5
Mar 09, 2017

11E | 12E

CAPE
GIRARDEAU
COUNTY



MISSOURI

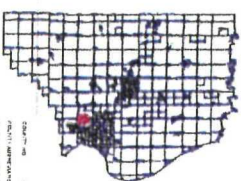
Presented by
SMART DATA SYSTEMS, INC.
CAPE GIRARDEAU, MISSOURI

Legend

- Boundary
FCODE
- Block Line
 - County Line
 - Parcel Line
 - RR ROW Line
 - Road ROW Line
 - Section Line
 - State Line
 - Twp/Rng Line
 - Water/Parcel Line
 - UNKNOWN

This map is prepared for the purpose of showing the location of the property described on the plat and is not a warranty of the accuracy of the information contained herein.

MAP INDEX



1 inch = 2,500 feet

Top 30 Rng 12

SECTION

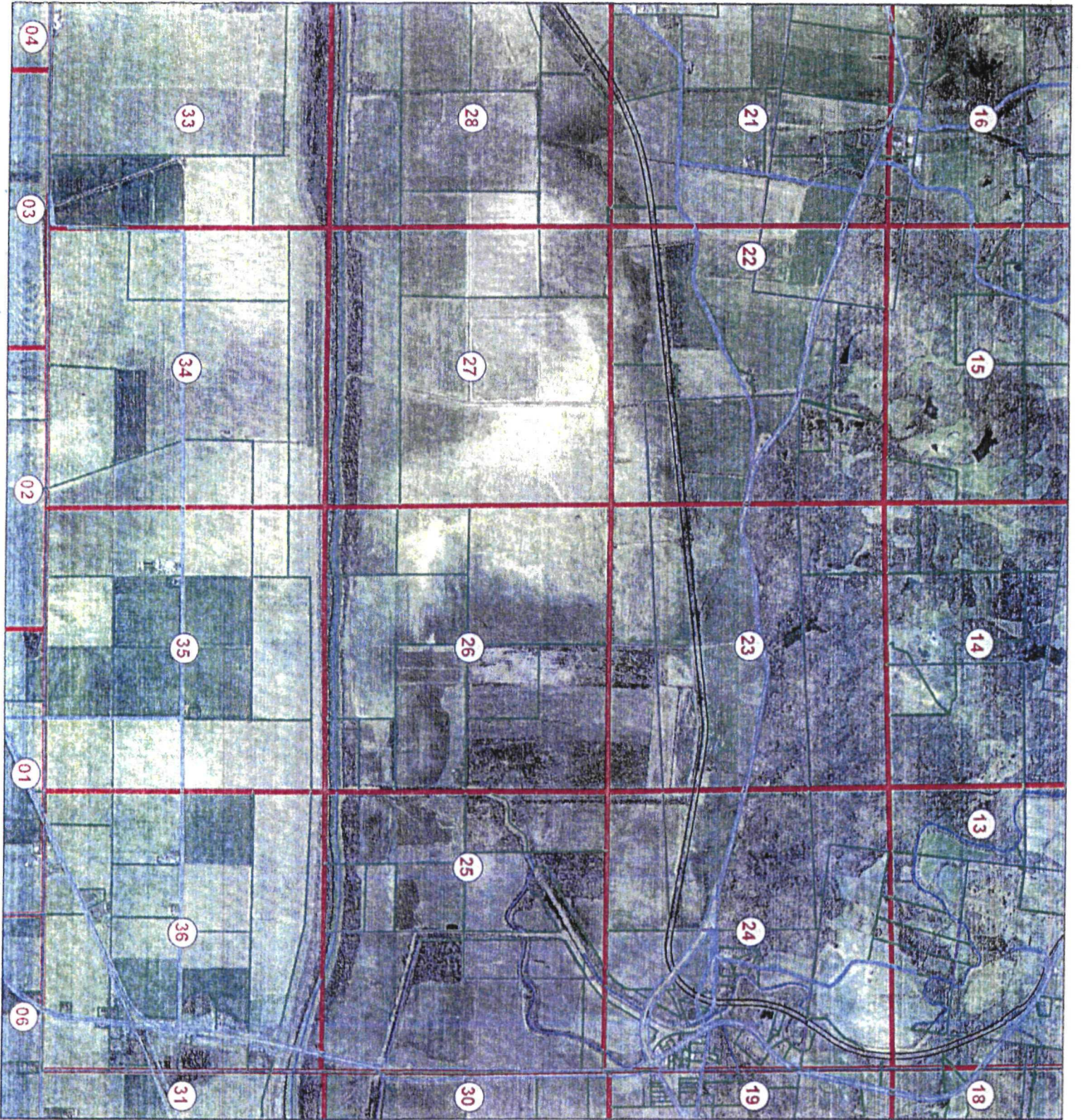
TOWNSHIP

RANGE

MAP NO.

Nov 08, 2011

Top 29 Rng 12



CAPE GIRARDEAU COUNTY

Top 31 Range 12

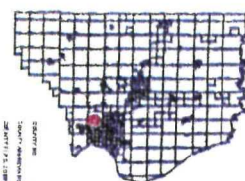
Top 30 Range 12
MISSOURI



SEAL OF THE
CLERK OF THE COURT
FOR THE
CAPE GIRARDEAU COUNTY COURT

- Legend**
- Boundary
 - FCODE
 - Block Line
 - County Line
 - Parcel Line
 - RR ROW Line
 - Road ROW Line
 - Section Line
 - State Line
 - Twp/Rng Line
 - Water/Parcel Line
 - Unknown

MAP INDEX

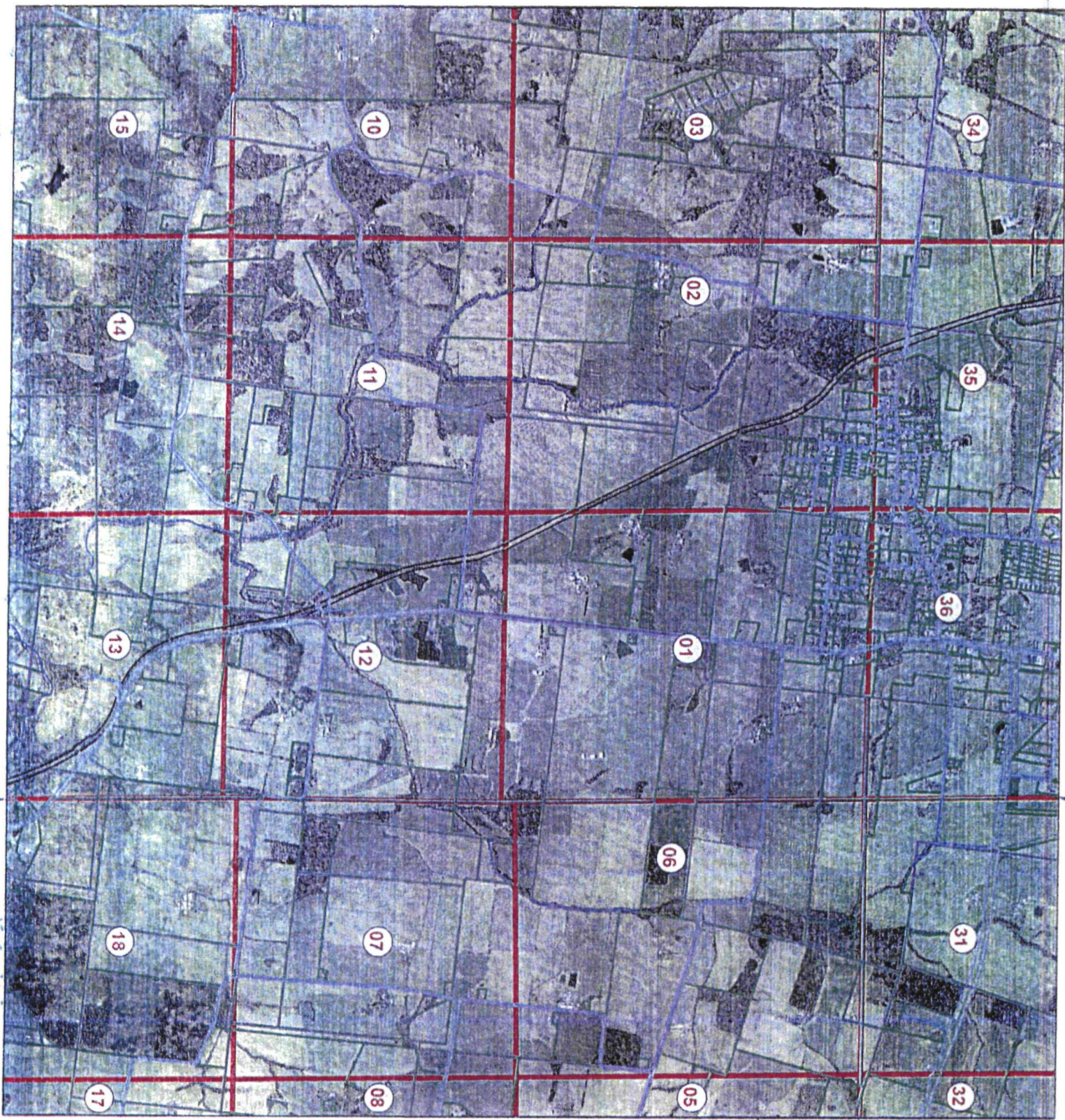


SCALE: 1" = 2.500 feet



SECTION
TOWNSHIP
RANGE
MAP NO.

5 d 5
NOV 08, 2011





**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-1088X

**JACKSON, GORDONVILLE AND DELTA RAILROAD COMPANY
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION -
LINE IN CAPE GIRARDEAU COUNTY, MISSOURI**

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

EXHIBIT 2

PHOTOGRAPHS

EXHIBIT

2-1

tables







EXHIBIT

2-3

Wobles



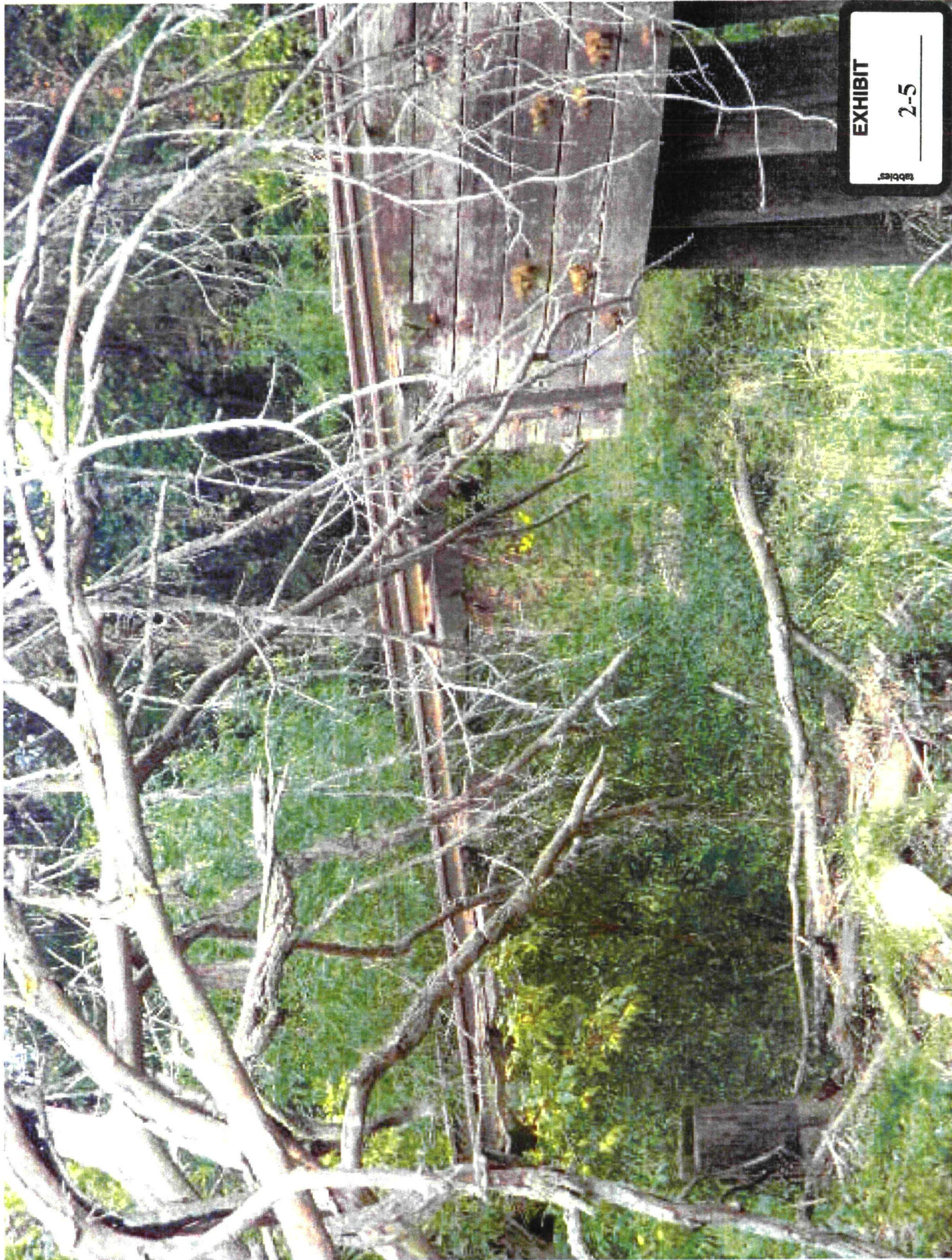


EXHIBIT
2-5

tabbles

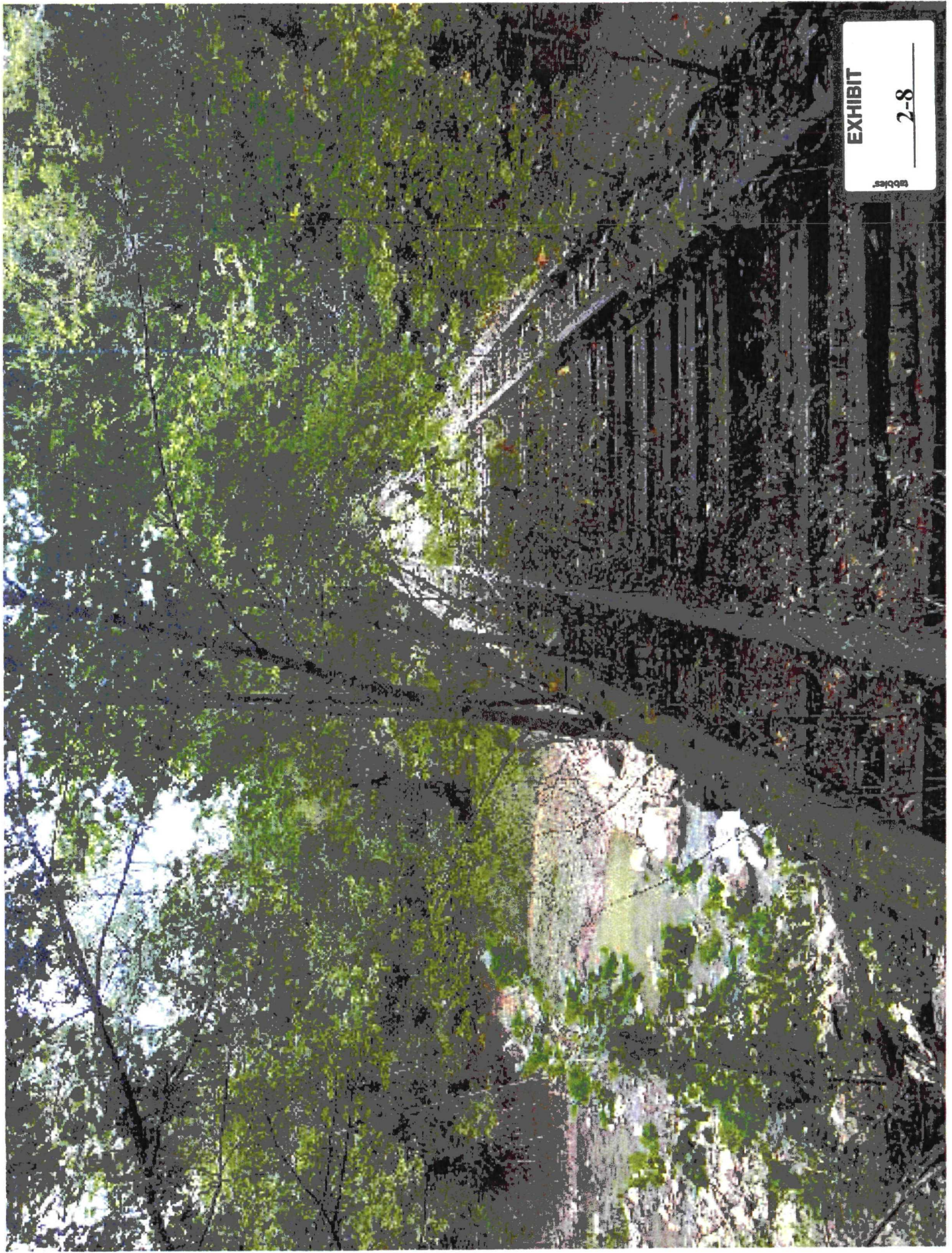


EXHIBIT

2-7

tabbies





EXHIBIT

2-8

bobbles

EXHIBIT

2-9

tables

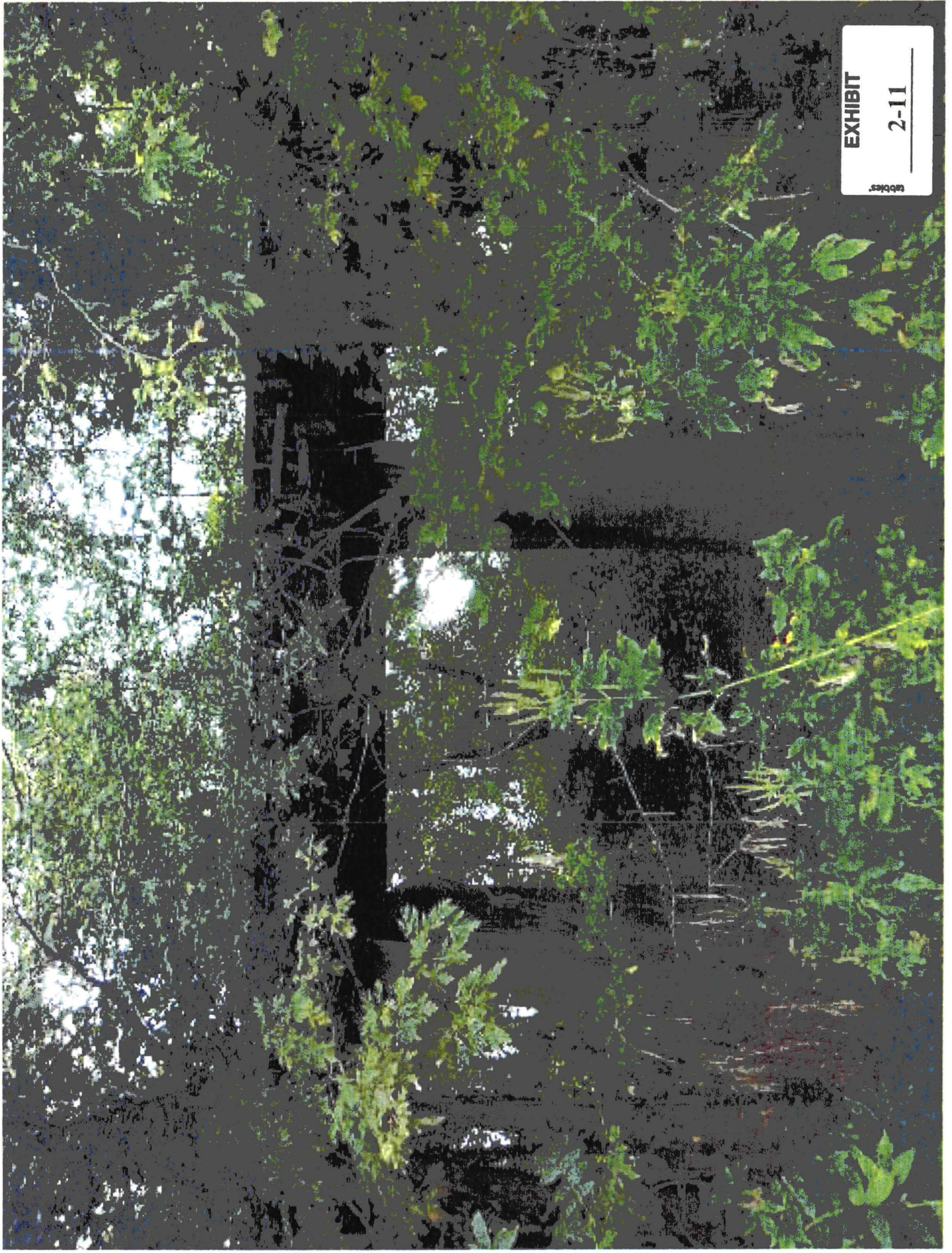


EXHIBIT

2-10

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EXHIBIT

2-11

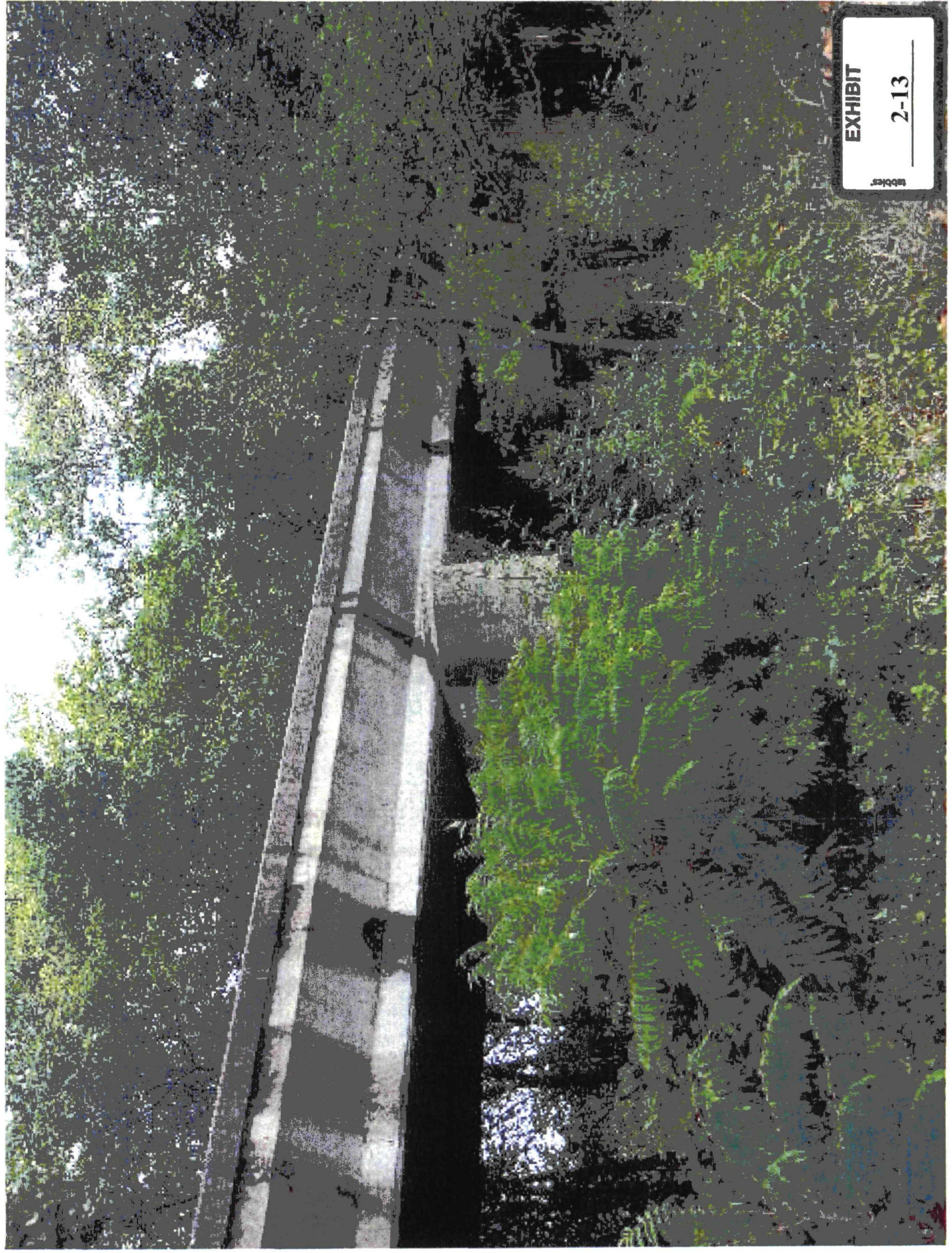
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EXHIBIT

2-12

tabbles





EXHIBIT

2-14

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EXHIBIT

2-15

tabbles





EXHIBIT

2-17

tabbles

EXHIBIT

2-18

tabbles





EXHIBIT

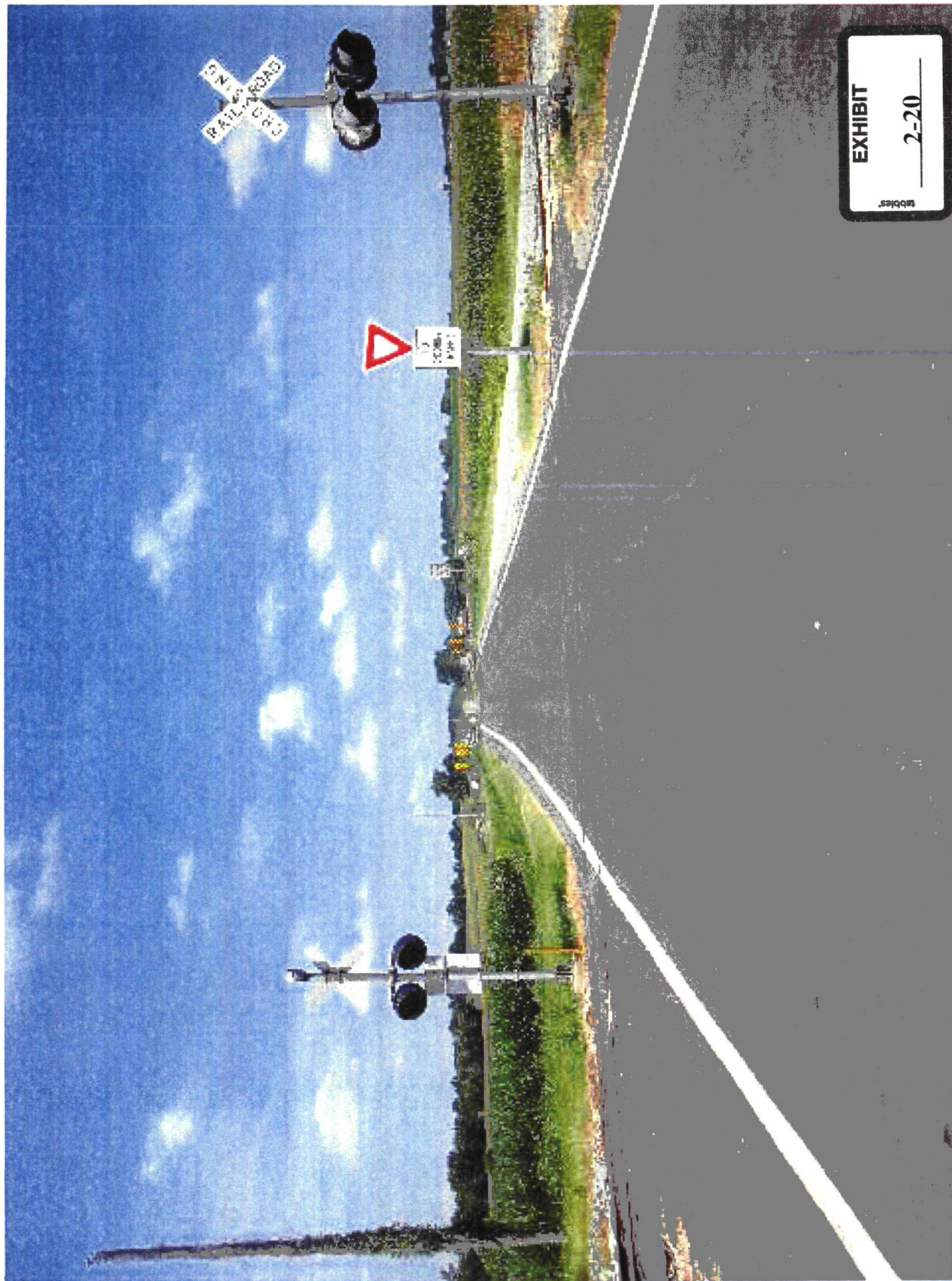
2-19

tabbles

EXHIBIT

2-20

tabbles

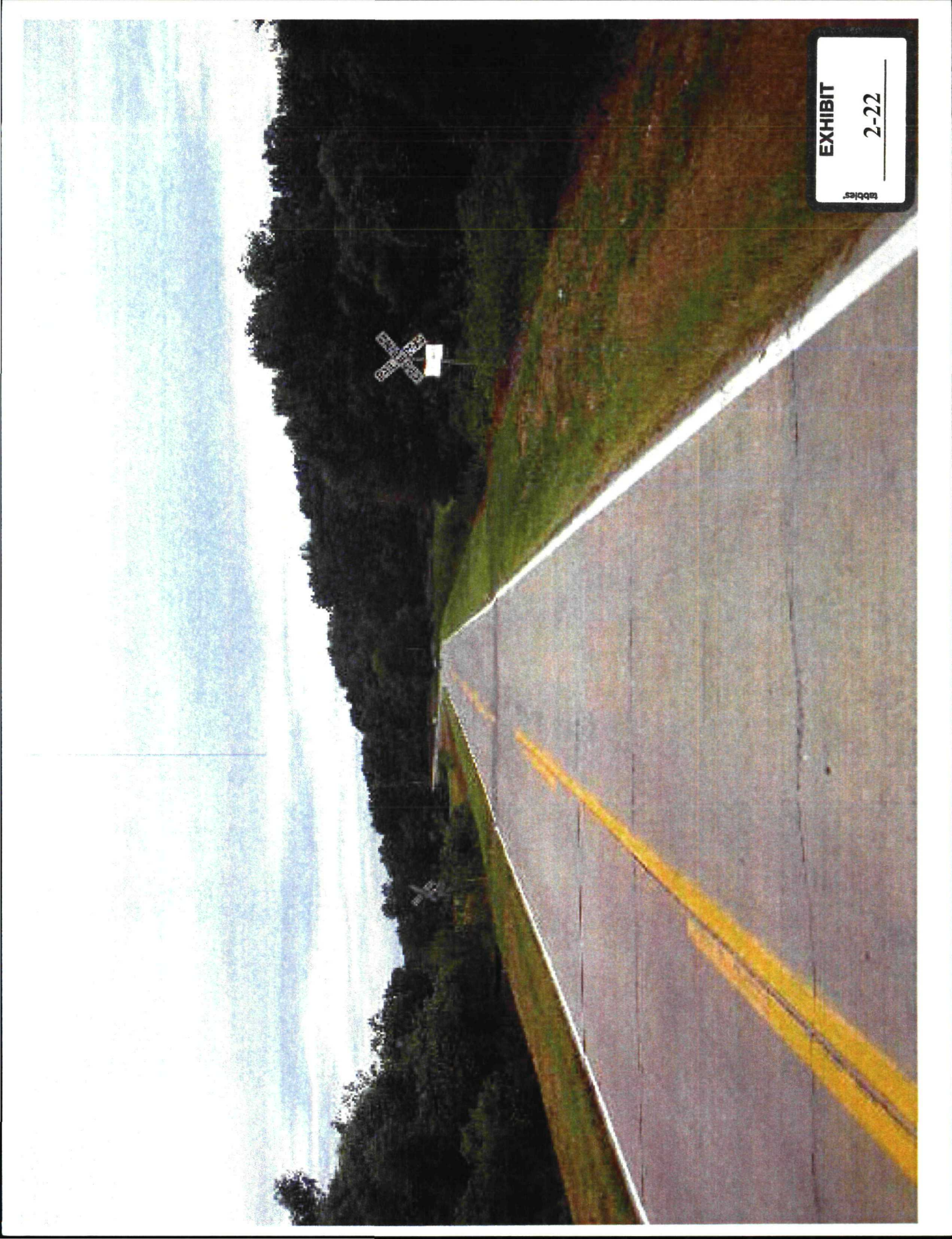


EXHIBIT

2-21

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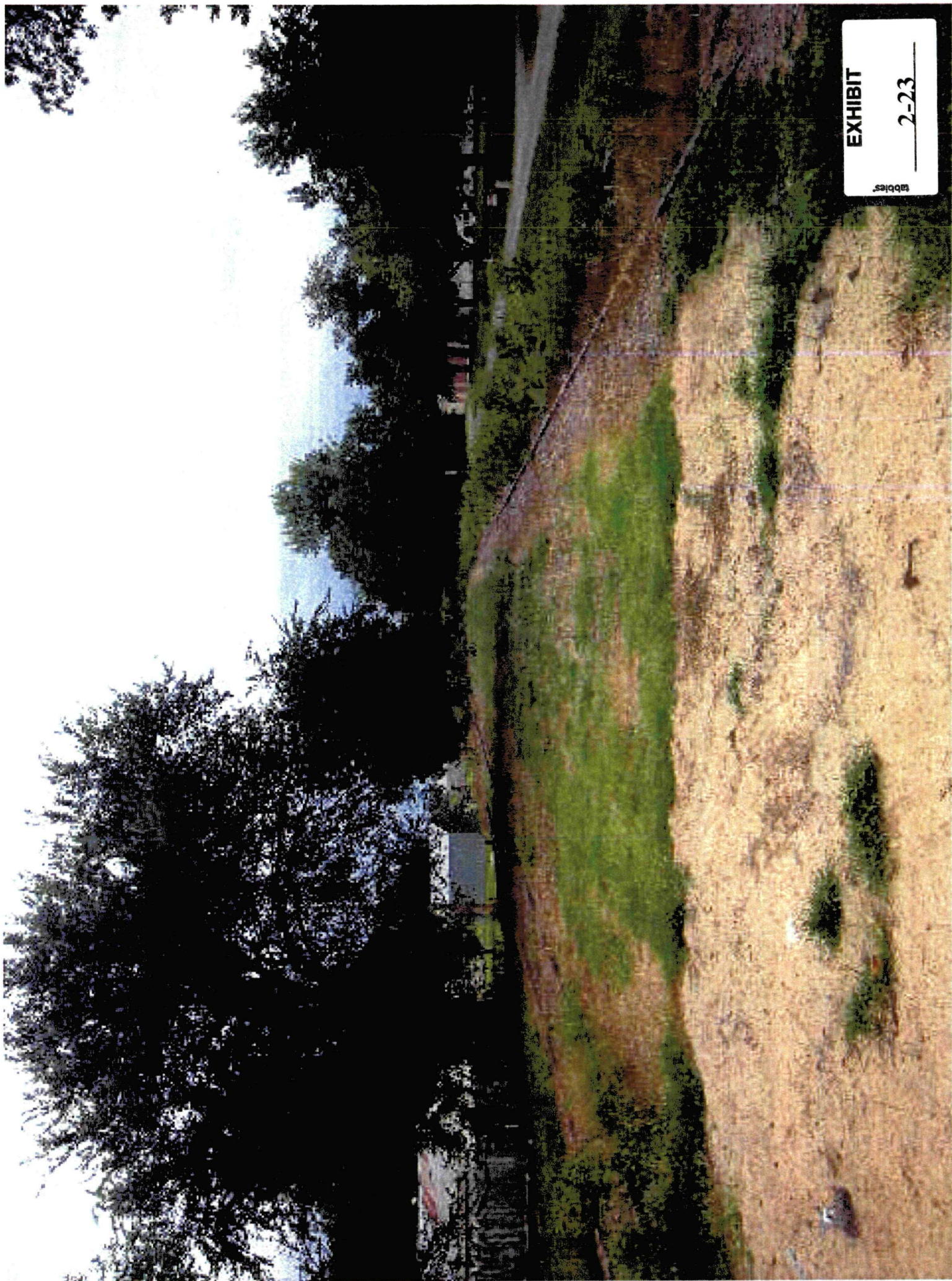




EXHIBIT

2-23

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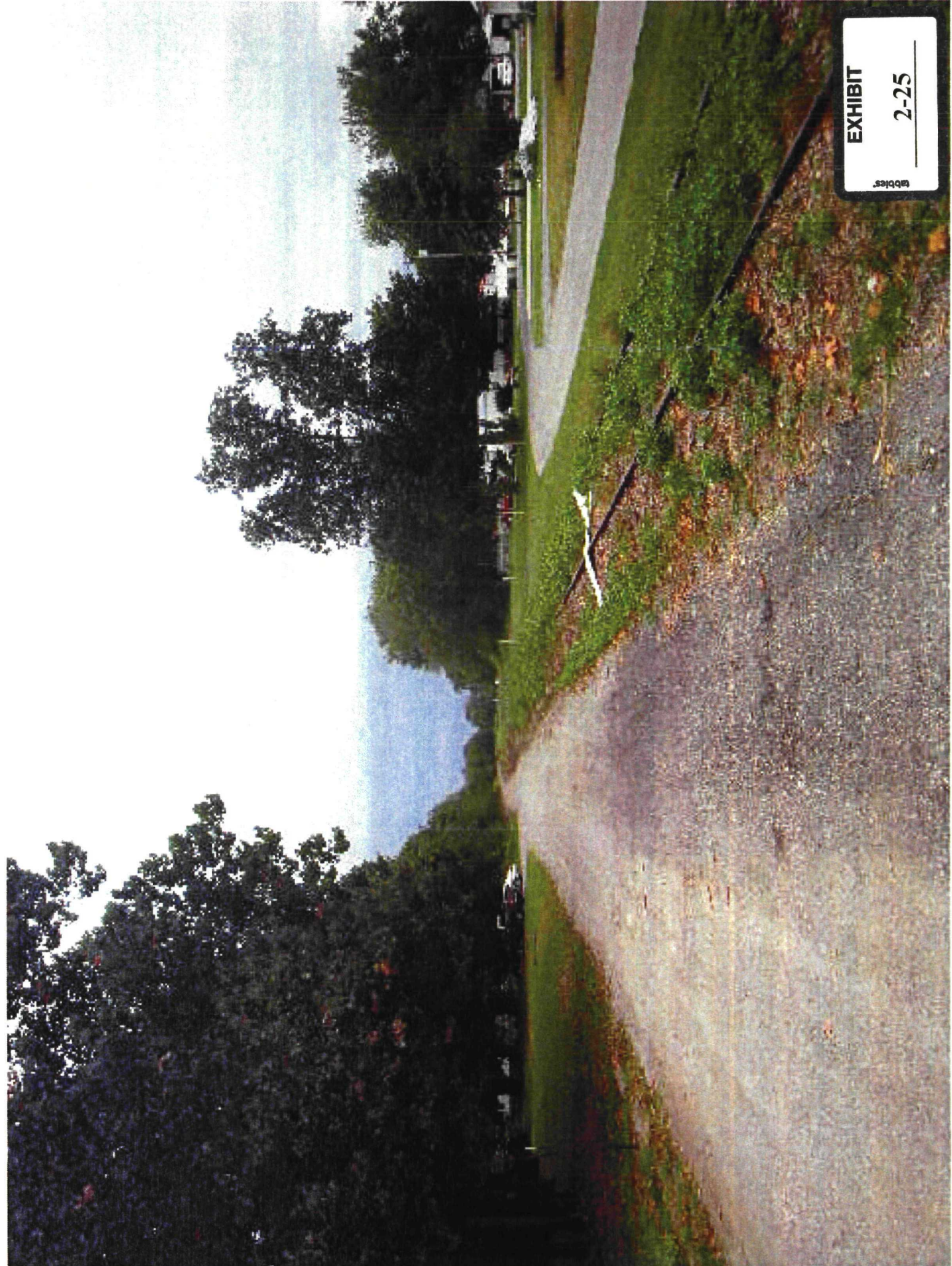
EXHIBIT

2-24

tabbles



tabbles



EXHIBIT

2-26

tabbles



Certificate of Publication

49 CFR 1105.12 – Newspaper Notice

I certify that a “Notice of Intent to Abandon” was published in the form prescribed by the Board for an abandonment notice of exemption. The notice was published on May 2, 2012, in the *Cash-Book Journal*, a newspaper of general circulation in Cape Girardeau County, Missouri, where the Line is located. (See attached proof of publication.)

Dated: May 8, 2012

A handwritten signature in black ink, appearing to read 'W. Robert Alderson', is written over a horizontal line.

W. Robert Alderson
ALDERSON, ALDERSON, WEILER,
CONKLIN, BURGHART & CROW, L.L.C.
2101 S.W. 21st Street
Topeka, Kansas 66604
(785) 232-0753
Attorney for Jackson, Gordonville and Delta Railroad Company

AFFIDAVIT OF PUBLICATION

(See Attached)

County of Cape Girardeau)) SS.
State of Missouri)

FROM	May 2, 2012
TO	May 2, 2012
FIRST INSERTION	May 2, 2012
SECOND INSERTION	
THIRD INSERTION	
FOURTH INSERTION	
FIFTH INSERTION	

David Bloom

15 Rafferty

Printer's Fee \$143.81

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA) which will normally be available 25 days after the filing of the Notice of Exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Office of Environmental Analysis, Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423 or by calling that office at (202) 245-0305.

May 2, 2012

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-1088X

**JACKSON, GORDONVILLE AND DELTA RAILROAD COMPANY
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION -
LINE IN CAPE GIRARDEAU COUNTY, MISSOURI**

ENVIRONMENTAL AND HISTORIC REPORT

EXHIBIT D

ENVIRONMENTAL AND HISTORIC REPORT

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-1088X

**JACKSON, GORDONVILLE AND DELTA RAILROAD COMPANY
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION -
LINE IN CAPE GIRARDEAU COUNTY, MISSOURI**

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

In connection with the above-captioned proceeding, Jackson, Gordonville and Delta Railroad Company ("JGD Railroad") intends to file a notice of exemption with the U.S. Surface Transportation Board ("STB" or "Board") to seek authority to abandon a segment of its rail line located in Cape Girardeau County, Missouri. In accordance with the requirements of 49 CFR 1105.7 (Environmental Reports) and 1105.8 (Historic Reports), which provisions apply to rail line abandonments (including, as is the case here, a rail line abandonment under the notice of exemption procedures at 49 CFR Part 1152, Subpart F), JGD Railroad hereby submits its Combined Environmental and Historic Report ("Report").

ENVIRONMENTAL REPORT
49 CFR 1105.7(e)(1)-(11)

49 CFR 1105.7(e)(1) Proposed Action and Alternatives

Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

JGD Railroad proposes to abandon approximately 13.3 track miles of its rail line located entirely in Cape Girardeau County ("County"), Missouri. The southern terminus of the line proposed for abandonment ("Line") is in the City of Delta, Missouri, at Railroad Milepost 149.4 in Section 9, Township 29 North, Range 13 East of the 6th P.M.; from its southern terminus, the Line extends northwesterly through the City of Delta and through Section 5, Township 29 North, Range 13 East of the 6th P.M. to the Town of Allenville, Missouri in Section 31, Township 30 North, Range 12 East of the 6th P.M.; thence the Line extends northeasterly and easterly through Sections 31, 32, 29, 28, 21, 22, 23 and 24, Township 30 North, Range 12 East of the 6th P.M. to the Town of Dutchtown, Missouri; thence the Line extends northerly and northwesterly from the Town of Dutchtown through Sections 24, 13, 12, 1 and 2, Township 30 North, Range 12 East of the 6th P.M. to Railroad Milepost 157.9, which is 1,394 feet south of the centerline of Missouri Highway Z, the northern terminus of the Line, near the Village of Gordonville, Missouri.

By utilizing the two-year out-of-service notice of exemption procedures at 49 CFR 1152.50, JGD Railroad anticipates that it will obtain authority to abandon the Line fifty (50) days after JGD Railroad's Notice of Exemption is filed with the STB on or after May 14, 2012.

If the proposed abandonment is approved pursuant to the exemption notice, JGD Railroad will remove or cause to be removed the rails, ties and other salvageable materials from the Line's roadbed.

The only alternative to abandonment would be not to abandon the Line and allow it to remain an inactive JGD Railroad asset. Because the Line has been inactive for a number of years, it has not been the subject of any regular maintenance. Accordingly, the proposed abandonment would not result in any material changes to JGD Railroad's operations or maintenance practices.

Maps of the Line are attached hereto as **Exhibit 1-1**, **Exhibit 1-2** and **Exhibit 1-3**. **Exhibit 1-1** is a copy of the relevant portion (8 ½ x 11) of the current USGS 7.5 Min. Topographic Map of the area traversed by the Line. This map is identified as Cape Girardeau Mo.-Ill.-Ky, 37089-A1-TM-100. It is a 1986 map providing a 30 x 60 minute quadrangle.

The map attached as **Exhibit 1-2** consists of two pages, which were copied from the 2011 Cape Girardeau County Plat Book and constitute pages 39 and 45 in that plat book. On both pages, the Line is highlighted in green. The first page of this map (Plat Book page 39) shows the location of the Line in Township 30 North, Range 12 East of the 6th P.M., and the second page (Plat Book page 45) shows the location of the Line in Township 29 North, Range 12 East of the 6th P.M.

The map attached as **Exhibit 1-3** is a three-page aerial photo map, which was prepared by the Cape Girardeau Office of Mapping and Appraisal. This map more clearly shows the agricultural nature of the land traversed by the Line.

Also attached as **Exhibit 1-4** is a hand-drawn graphic which identifies the locations of the 22 bridges on the Line. South of Gordonville, the Line crosses Hubble Creek and also Williams Creek. South of Dutchtown the Line again crosses Hubble Creek several times, but prior to these crossings Williams Creek has merged into Hubble Creek. Between the Town of Allenville and the City of Delta, the Line crosses one of the eleven Diversion Channels in this area. This crossing is enabled by a 1,650 foot steel girder span. **Exhibit 1-4** will be discussed further in connection with the Historic Report.

1105.7(e)(2) Transportation System

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

No passenger or freight traffic will be diverted to other modes as a result of the proposed abandonment. There have been no rail freight shipments, passenger excursion train traffic or overhead traffic on the Line for more than fifteen years. Hence, no rail passenger or freight traffic will be diverted to other modes of transportation as a result of the proposed action. Accordingly, the proposed abandonment should have no adverse effects on regional or local transportation systems and patterns.

A draft copy of the Report was sent to the Railroads for National Defense Program, Military Surface Deployment and Distribution Command. David Dorfman, P.E., Senior Engineer for the Railroads for National Defense Program, advised JGD Railroad's legal counsel in an email dated April 25, 2012, that the proposed abandonment "does not impact military rail movement requirements."

1105.7(e)(3) Land Use

(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

The County does not have a land use planning agency. However, JGD Railroad believes the proposed abandonment is consistent with existing local land use. The land adjoining the entirety of the Line is primarily agricultural in character and includes expansive areas of woodlands. Attached hereto as **Exhibit 2** are 26 photographs (**Exhibits 2-1 through 2-26**) taken of selected segments of the Line and the land adjoining the Line. They illustrate the expansive woodland areas as well as the agricultural nature of the land adjoining the Line.

A draft copy of this Report was sent to the County Clerk of the County, along with a request for the County's review and comment. No response from the County has been

forthcoming, but if the County responds to JGD Railroad's request to comment on this Report, JGD Railroad will promptly provide to the Board any relevant information.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

As noted previously in item (3)(i) above, the land traversed by the Line is primarily agricultural in character, with expansive woodland areas. The aerial photo map attached as **Exhibit 1-3** illustrates the agricultural character of the land surrounding the Line. Also, the photographs in **Exhibits 2-20 to 2-26** show the rural, agricultural nature of this land, and the photographs in **Exhibits 2-1 to 2-15 and 2-19** show some of the expansive woodland areas traversed by the Line.

Upon the Board's approval of the Line's abandonment, the rails, ties and other track materials, except ballast, will be removed from the roadbed. The roadbed will be graded to a relatively smooth condition. Because JGD Railroad does not own the Line's right-of-way in fee, upon abandonment, the servient estate owners (presumably adjoining landowners) will have unrestricted access to the Line's right-of-way, thereby enabling its use for agricultural purposes. Thus, JGD Railroad submits that it is highly unlikely that there is any prime agricultural land adjoining the Line that would be adversely affected by the proposed abandonment.

A draft copy of this Report was sent to the United States Department of Agriculture, Natural Resources Conservation Service ("USDA/NRCS") along with a request for its review and comment. No response to this request has been forthcoming, but if the agency subsequently responds to such request, JGD Railroad will forward to the Board any relevant information.

(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9.

It does not appear that the State of Missouri has a Coastal Zone Management Program. Thus, JGD Railroad does not believe the Line passes through a designated coastal zone. To confirm this understanding, a draft copy of this Report was sent to the Missouri Department of

Natural Resources ("MDNR"), along with a request for its review and comment. No response to this request has been forthcoming, but if the agency subsequently responds to this request, any relevant information in the response will be forwarded to the Board.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10905 and explain why.

The Line may be suitable for development as a recreational trail, and JGD Railroad is aware of local interest in pursuing development of the Line for interim trail use. However, it is difficult to assess the extent of such local interest, and JGD Railroad has been unable to determine whether a Notice of Interim Trail Use will be requested in connection with the Notice of Exemption to be filed by JGD Railroad

1105.7(e)(4) Energy

(i) Describe the effect of the proposed action on transportation of energy resources.

The proposed abandonment involves a Line that has not had any local or overhead traffic for well over two years (since mid-1990's). For this reason, the proposed abandonment will have no effect on the transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

The proposed abandonment will have no effect on the transportation of recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

The proposed abandonment involves a Line that has had no local or overhead traffic for well over two years (since mid-1990's). Thus, the proposed abandonment will have no effect on overall energy efficiency.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

The proposed abandonment will not cause any such rail-to-motor carrier traffic diversions. As indicated above, there is no traffic on the Line, and thus none that would be diverted as a result of abandonment.

1105.7(e)(5) Air

(i) If the proposed action will result in either: (A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or (B) an increase in rail yard activity of at least 100 percent (measured by carload activity), or (C) an average increase in truck-traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in sub-section (5)(i)(A) will apply.

The above thresholds will not be exceeded as a result of the proposed abandonment.

(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either: (A) an increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line; (B) an increase in rail yard activity of at least 20 percent (measured by carload activity); or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. 10901(or 49 U.S.C. 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

To the extent that they apply in this case (an out-of-service rail line abandonment), the above thresholds will not be exceeded as a result of abandonment.

(iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Not applicable.

1105.7(e)(6) Noise

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more; or (ii) an increase to a noise level of 65 decibels Ldn or

greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

None of the thresholds identified in item (5)(i) of this section will be exceeded.

1105.7(e)(7) Safety

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

The proposed abandonment will have no detrimental effects on public health and safety. There are six at-grade crossings of the Line. Three of them are county road crossings and three are state highway crossings. If abandonment of the Line is approved by the Board, each of these crossings will be placed in a condition which satisfies requirements of the public authority having jurisdiction of the crossing. To the extent that the elimination of the at-grade rail crossings improves traffic flow and/or road conditions, then it may be said that the proposed abandonment would benefit public safety.

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

Not applicable.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Not applicable

1105.7(e)(8) Biological Resources

(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

On November 23, 2011, legal counsel for JGD Railroad wrote to Charles Scott, Field Supervisor for the Ecological Services Field Office of the U.S. Fish and Wildlife Service

("USFWS") in Columbia, Missouri. Enclosed with that letter were three maps showing the Line. These are the same maps that are attached hereto as **Exhibit 1-1, Exhibit 1-2 and Exhibit 1-3**. The letter to Mr. Scott advised that, by following the consultation process pursuant to Section 7 of the Endangered Species Act, as found on the USFWS website, JGD Railroad identified the following endangered or threatened plant, fish and wildlife species in the County:

<u>GROUP</u>	<u>NAME</u>	<u>STATUS</u>
Birds	Least Tern (Sterna Antillarum)	Endangered
Fishes	Pallid Sturgeon (Scaphirhynchus Albus)	Endangered
Flowering Plants	Decurrent False Aster (Boltonia Decurrens)	Threatened

The letter explained the salvage operations which will occur if the Board approves the Line's abandonment, but suggested that the salvage operations would not adversely affect the foregoing endangered or threatened species. The USFWS concurred. By a note dated December 3, 2011, Mr. Scott stated:

"The U.S. Fish and Wildlife Service (Service) has reviewed the proposed action and determined that no federally listed species, candidate species, or designated critical habitat occurs within the project area. Furthermore, the Service has determined that this action will have negligible impacts on wetlands, migratory birds, fish and wildlife resources."

In addition, JGD Railroad sent a draft copy of this Report to the USFWS, with a request for review and comment. On April 26, 2012, Patrick G. Carroll, Senior Realty Officer of the USFWS, wrote to Vicki Rutson, Director of the Board's Office of Environmental Analysis (with a copy to JGD Railroad's legal counsel), stating as follows:

"We have researched our ownerships in the vicinity and have determined we do not own any lands or interests in land in the vicinity of the proposed rail line abandonments. We do not have any concerns regarding real estate matters in the abandonments."

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

JGD Railroad does not believe any National or State parks or forests will be affected by this proposed abandonment. However, JGD Railroad notified the National Park Service of the proposed abandonment by providing the agency with a draft copy of this Report, requesting the agency to review and comment on this Report. No response to this request has been forthcoming, but if a response is made, JGD Railroad will provide relevant information therein to the Board.

1105.7(e)(9) Water

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

JGD Railroad is confident that the proposed abandonment will be accomplished in a manner consistent with applicable water quality standards. In connection with this matter, JGD Railroad notified MDNR and the United States Environmental Protection Agency ("EPA") of the proposed abandonment, by providing these agencies with draft copies of this Report. With that notification, JGD Railroad included a request for the agencies' review of this Report and their comments upon it. There has been no response by either agency to this request, but if a response is made, JGD Railroad will provide relevant information to the Board.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

JGD Railroad believes that no permits under Section 404 of the Clean Water Act would be required for the proposed abandonment. There are no plans by JGD Railroad to remove or alter the contour of the roadbed underlying the Line, and the abandonment and discontinuance involve no plans to undertake in-stream work, or to dredge and/or use fill materials. No discernible effects on either 100-year flood plains or any wetlands in the area are expected in connection with the proposed abandonment and discontinuance. Consequently, JGD Railroad does not believe a Section 404 permit will be required with respect to the proposed abandonment and discontinuance. However, JGD Railroad has sent a copy of this Report to the U.S. Army

Corps of Engineers ("USACE"), along with a request for its input and comment upon the Report. No response has been forthcoming, but if a response is made, relevant information therein will be provided to the Board.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action.

JGD Railroad believes that no permits under Section 402 of the Clean Water Act would be required for the proposed abandonment. Upon obtaining authority from the Board to abandon the Line, any salvage operations would be accomplished via access over the existing railroad right-of-way, along with existing access over the various public roads and highways that cross the Line at grade. Salvage operations will be limited to removal of the rails, ties and other track materials, except ballast. JGD Railroad will not permit the salvage operator to create any access roads to reach the various sections of the Line. In addition, JGD Railroad does not intend to perform or allow any activities that would cause sedimentation or erosion of the soil, and it does not anticipate any dredging or use of fill in the removal of the salvage materials. No debris will be discarded along the right-of-way as a result of salvage activities, nor will it be placed or deposited into streams or waterways, or along the banks of such waterways. Any work along the right-of-way will be subject to appropriate measures to prevent or control spills from fuels, lubricants or any other pollutant materials. Further, there are no plans by JGD Railroad to remove or alter the contour of the roadbed underlying the Line. There should be no significant effect on water quality. Thus, for all of the above and foregoing reasons, JGD Railroad does not believe that any permits under Section 402 of the Clean Water Act will be required.

In a letter dated April 18, 2012, legal counsel for JGD Railroad provided the foregoing information to David Stinson, Chief, Engineering Unit, MDNR's Southeast Regional Office in Poplar Bluff, Missouri, with a request that Mr. Stinson confirm JGD Railroad's understanding that its salvage operations will not require a permit pursuant to the requirements of Section 402 of the Clean Water Act. When Mr. Stinson's response is received, it will be forwarded to the Board.

As indicated in item (9)(i) above, JGD Railroad sent a copy of this Report, along with a request for review and comment, to the MDNR office in Jefferson City, Missouri, and to the EPA. As noted above, there has been no response to this request by either agency, but if a response is made, relevant information therein will be provided to the Board.

1105.7(e)(10) Proposed Mitigation

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

There will be no adverse environmental impact within the subject project area as a result of the proposed rail line abandonment; therefore, mitigation will not be necessary.

1105.7(e)(11) Additional Information for Rail Construction

Not applicable.

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HISTORIC REPORT
49 CFR 1105.8(d)(1)-(9)

1105.8(d) Proposed Action and Alternatives

The Board's rules governing Historic Reports require that such reports contain the same information regarding the "proposed action and alternatives" as is required by section 1105.7(e)(1) in connection with Environmental Reports. Because this document is a Combined Environmental and Historic Report, detailed information concerning the "proposed action and alternatives" is set forth in the preceding Environmental Report section of this docket, and JGD Railroad hereby incorporates by reference in the Historic Report the information provided above in response to the requirements of section 1105.7(e)(1).

1105.8(d)(1) Map

A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.

The maps attached to this Report are identified and explained in response to Section 1105.7(e)(1). As noted there, the map attached as **Exhibit 1-1** is a topographic map of the area traversed by the Line. **Exhibit 1-2** and **Exhibit 1-3** also should be of assistance in identifying the Line's route in the County. These maps were included as attachments to a Memorandum prepared by JGD Railroad's legal counsel, which accompanied the Section 106 Project Information Form that was submitted to the Missouri State Historic Preservation Office on April 4, 2012. That form was submitted pursuant to Section 106 of the National Historic Preservation Act of 1966 (as amended). In response, Mark A. Miles, Deputy State Historic Preservation Officer, sent JGD Railroad a Cultural Resource Assessment (Section 106 Review) dated April 18, 2012, which stated that the State Historic Preservation Office had reviewed the information submitted by JGD Railroad, and based on that review it made the following determination:

“Adequate documentation has been provided (36 CFR Section 800.11). There will be ‘no historic properties affected’ by the current project.”

JGD Railroad’s legal counsel also has been in communication with the National Geodetic Survey (“NGS”), and the NGS identified the following geodetic survey marks that may be located on or in proximity to the Line:

| |HBO974 | . | 2|88/ADJUSTED |N371 143| |W0894408 |C ... |N 141
| |HBO996 | . | 1|88/ADJUSTED |N371 142.17 ...|W0894409 |D ... |PTS F 4

Accordingly, JGD Railroad engaged Chris Kelley, a Professional Land Surveyor in the State of Missouri, to determine the location of these survey marks and provide the results of the survey to NGS. At the completion of his survey, Mr. Kelley stated that neither of the National Geodetic Survey monuments could be found. The NGS acknowledged receipt of this information in an email dated May 8, 2012.

1105.8(d)(2) Description of Right-of-Way

A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area.

The Line’s right-of-way is approximately 13.3 track miles in length, and is generally 50 feet in width. The subject right-of-way includes six at-grade crossings [see response to 1105.7(e)(7)]. The topography of the Line is generally flat and the surrounding area is generally rural, agricultural in character, with expansive woodland areas also present [see response to 1105.7(e)(3)].

1105.8(d)(3) Photographs

Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area.

There are 22 bridges, but no buildings situated on the Line. Attached as **Exhibits 2-1 to 2-19**, are photographs of most of the bridges on the Line. As can be seen from

these photographs, extensive portions of the Line have been overgrown with brush and trees, which made the Line impassable in spots and prevented photographs from being taken of all of the bridges. Only 14 of the 22 bridges on the Line were able to be photographed. JGD Railroad does not have records to permit it to state with certainty the history of the bridges on the Line, but it is believed that all of these bridges had their origins more than 50 years ago. However, it also is believed that, with one exception, all of the bridges have been substantially repaired and/or rebuilt. The one exception is the 1,650 foot steel span which enables the Line to cross a Diversion Channel, which is one of eleven Diversion Channels in this area.

1105.8(d)(4) Background Information on Structures of Interest

The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known.

The photographs in **Exhibits 2-14 through 2-19** provide different views of the steel bridge referenced in item (d)(3) above. **Exhibit 2-14** shows the bridge and the Diversion Channel which it crosses. **Exhibit 2-17** shows the year (1954) in which this structure was constructed. Because the two banks of the Diversion Channel are different elevations, one end of the bridge needed to be elevated. This necessitated an elevated, wooden approach to the bridge that extends approximately one-tenth mile. A portion of that approach is shown in **Exhibit 2-19**.

Attached to this Report as **Exhibit 1-4** is a hand-drawn graphic which identifies in red lettering the locations of the bridges on the Line. Also attached are **Exhibits 2-20 through 2-26**, which are photographs which show the rural, agricultural character of the land adjacent to the Line.

1105.8(d)(5) History of Carrier Operations in the Area

A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action.

The first railroad to actually build a rail line in southeast Missouri was the Iron Mountain Road. It was organized pursuant to a special act of the Missouri legislature in 1851. The rail line extended from St. Louis to Pilot Knob and later it extended into Bollinger County, Missouri, and also connected at Allenville, Missouri. The purpose of the Iron Mountain Road was to make available the great quantities of iron ore around Iron Mountain, Missouri, to the Mississippi River and other areas. The railroad was reorganized as the St. Louis and Iron Mountain Railroad in 1867. Subsequently, in 1874, it was reorganized once again as the St. Louis Iron Mountain and Southern Railway. In 1917, it was merged with the Missouri Pacific Railroad ("MOPAC"), which later became the Union Pacific Railroad.

The St. Louis Iron Mountain and Southern Railway controlled a number of other railroads, either through the acquisition of capital stock and/or lease agreements. Included among these railroads were: Union Railway of Memphis (1886); Natchez and Southern Railway Company (1902); Coal Belt Railway Company (1904); Coal Belt Electric Railway Company (1904); Natchez and Western Railway (1905); New Orleans and Northwestern Railway Company (1909); Wabash Southern Railway Company (1909); Cairo and Thebes Railway Company (1911); Marion and Harrisburg Railway Company (1913); Marion and Johnston City Railway Company (1913); and Johnston City Connecting Railway Co. (1913).

On February 24, 1984, in ICC Docket No. AB-3 (Sub-No. 35), the Interstate Commerce Commission ("ICC") approved MOPAC's sale to the Jackson Industrial Development Company ("JIDC") of the rail line from Jackson, Missouri, to a point near

Delta, Missouri, approximately 18.4 track miles of rail line. On August 12, 1993, pursuant to a Notice of Exemption, JGD Railroad, a non-carrier at that time, acquired that line from JIDC in ICC Finance Docket No. 32328, and was authorized to operate that rail line under the name Jackson and Southern Railroad.

Subsequently, on November 24, 1993, JGD Railroad, in ICC Finance Docket No. 32339, acquired a 0.05 mile segment of rail line from The Golden Cat Railroad Corporation's Delta Branch, pursuant to a Notice of Exemption. This acquisition also was an exempt transaction, since JGD Railroad was still classified as a non-carrier, because it had not consummated the acquisition of the line from JIDC.

1105.8(d)(6) Summary of Documents in MAL Railway's Possession

A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic.

The only document in JGD Railroad's possession that bears upon the historic nature of the bridge structures is a 1986 Engineer's Report prepared by Alfred Benesch & Company, Consulting Engineers. The purpose of this report was to evaluate the rail line between Jackson and Delta, and to determine the physical requirements to restore Federal Railroad Administration Class 2 levels of maintenance on this rail line. The report's conclusions regarding the substantial repairs needed by the bridges on the rail line (which includes the Line) strongly suggests that most of the bridges were repaired during this timeframe.

1105.8(d)(7) Opinion Regarding Historic Character of Structures

An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities).

As noted in response to 1105.8(d)(1), JGD Railroad requested a Section 106 review of the historical structures on the Line, and the Missouri State Historic Preservation Office concluded that no historic properties will be affected by the proposed abandonment.

1105.8(d)(8) Known Ground Disturbance or Environmental Conditions

A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

A portion of the Line was constructed on a series of cuts and fills which appear to date back to the Line's original construction. JGD Railroad has no records to confirm that the subject cuts and fills are original to the line, but it is JGD Railroad's opinion that this is the case. Over the years, track work and/or construction likely took place on the Line, while it was still in operation. Original track construction and subsequent track work and maintenance may have disturbed the potential for recovery of archaeological resources along the Line. JGD Railroad is not aware of any environmental conditions that would otherwise affect the archaeological recovery of resources.

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**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

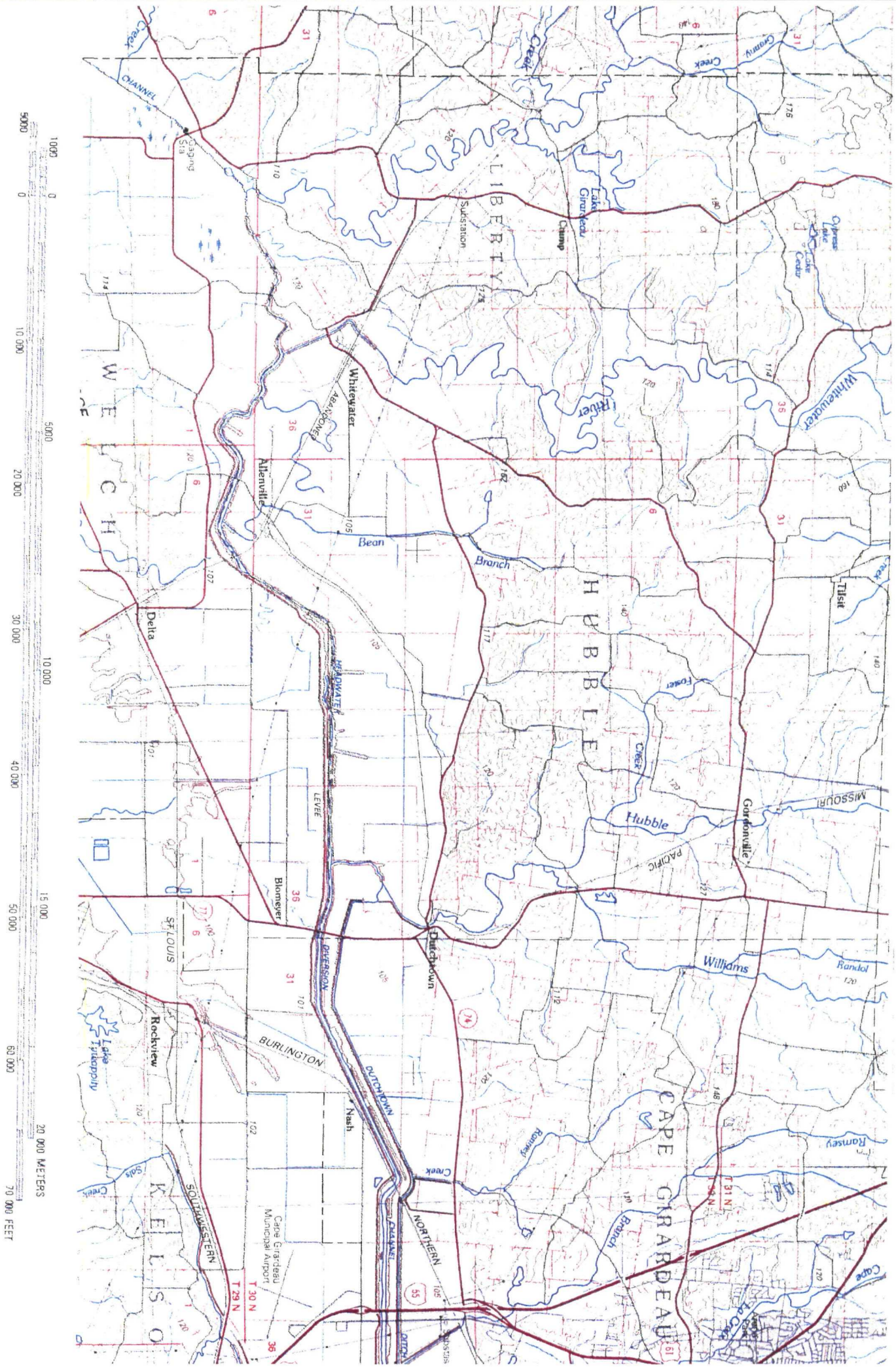
STB DOCKET NO. AB-1088X

**JACKSON, GORDONVILLE AND DELTA RAILROAD COMPANY
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION -
LINE IN CAPE GIRARDEAU COUNTY, MISSOURI**

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

EXHIBIT 1

MAPS



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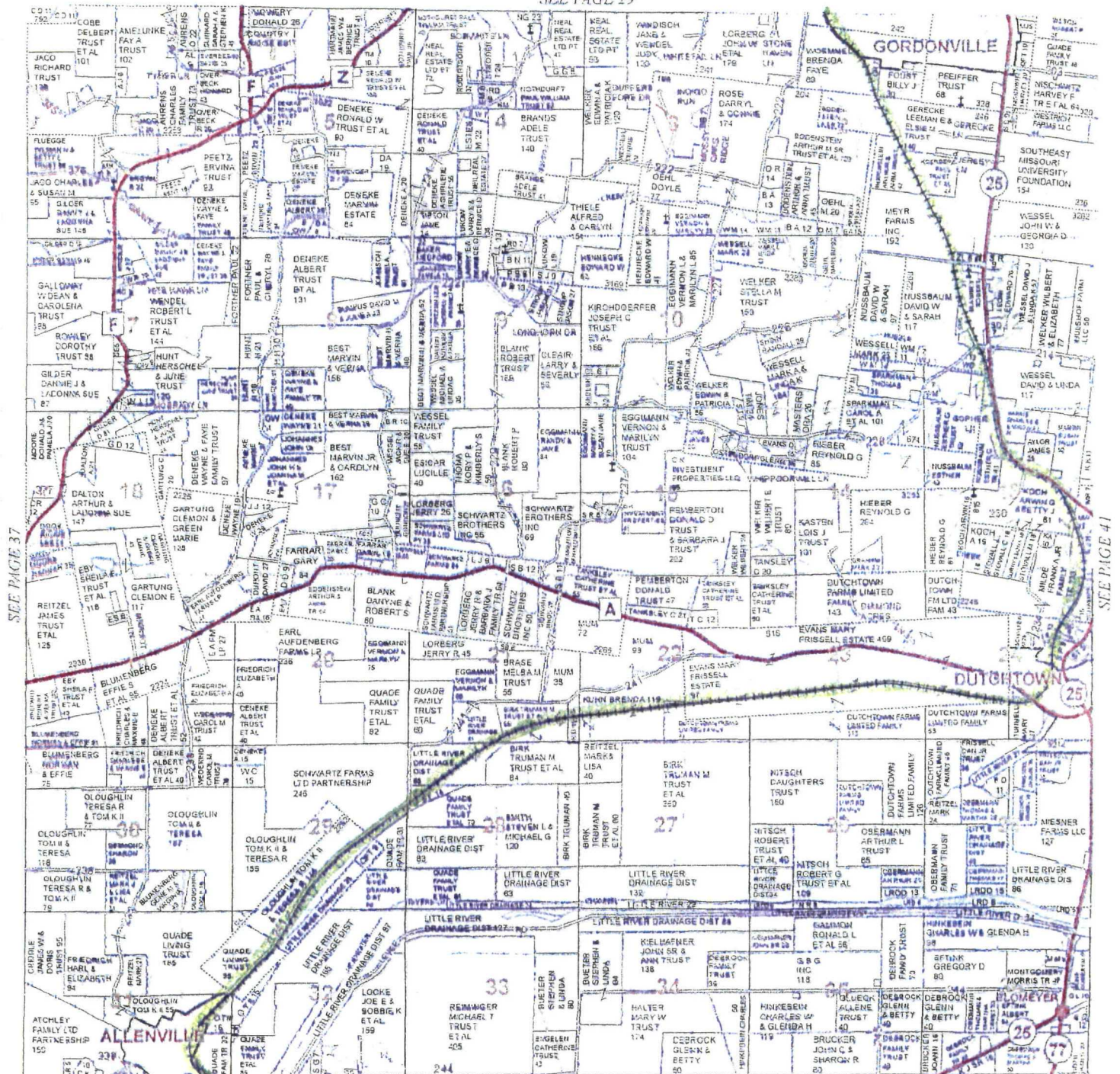
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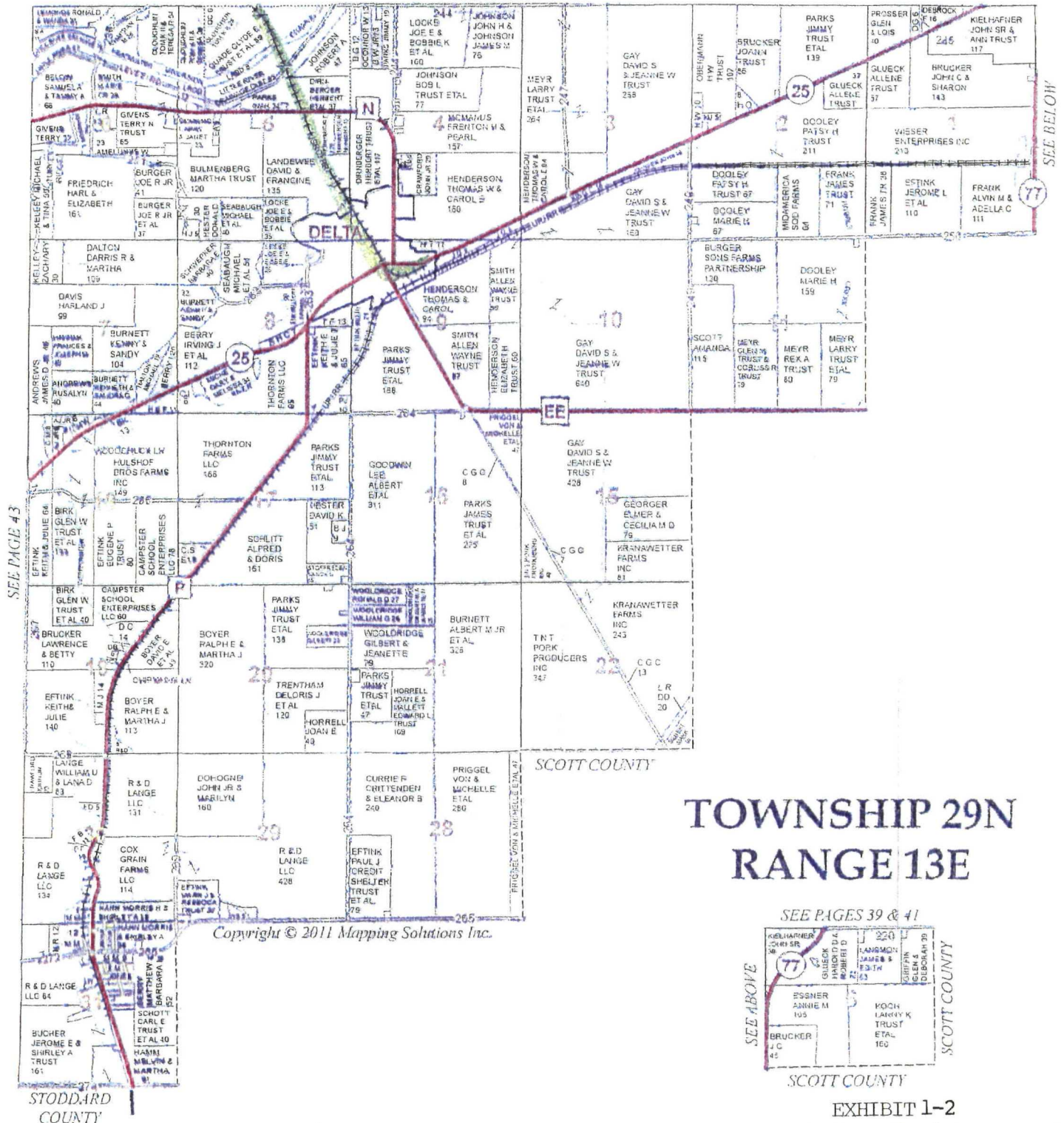
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SEE PAGE 29



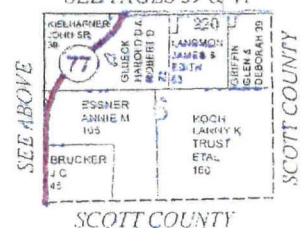
TOWNSHIP 29N • RANGE 12E

SEE PAGES 37 & 39



TOWNSHIP 29N RANGE 13E

SEE PAGES 39 & 41



CAPE GIRARDEAU COUNTY



MISSOURI

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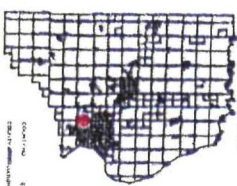
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- Parcel Line
- RR ROW Line
- Road ROW Line
- Section Line
- State Line
- Two-Block Line
- Water/Parcel Line
- Unknown

Top 30 Ring 12
Top 24 Ring 12

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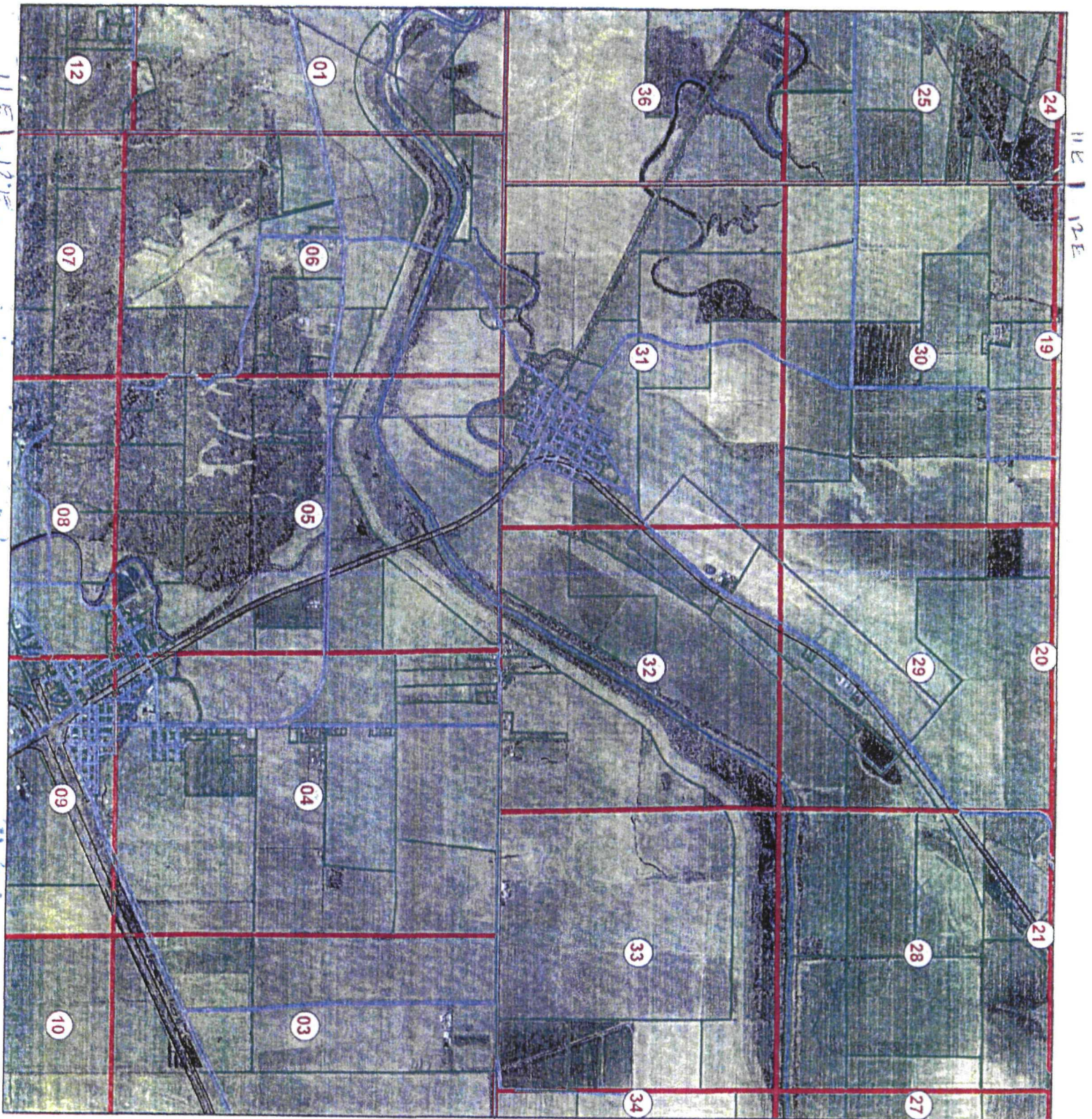
MAP INDEX



1 inch = 2,500 feet

SECTION
TOWNSHIP
RANGE
MAP NO.

Nov 09, 2011



11E | 12E

CAPE GIRARDEAU COUNTY



MISSOURI

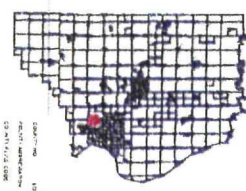
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Legend

- Boundary
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- Road ROW Line
- Section Line
- State Line
- Twp/Rng Line
- Water/Parcel Line
- UNKNOWN

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MAP INDEX



1 inch = 2,500 feet

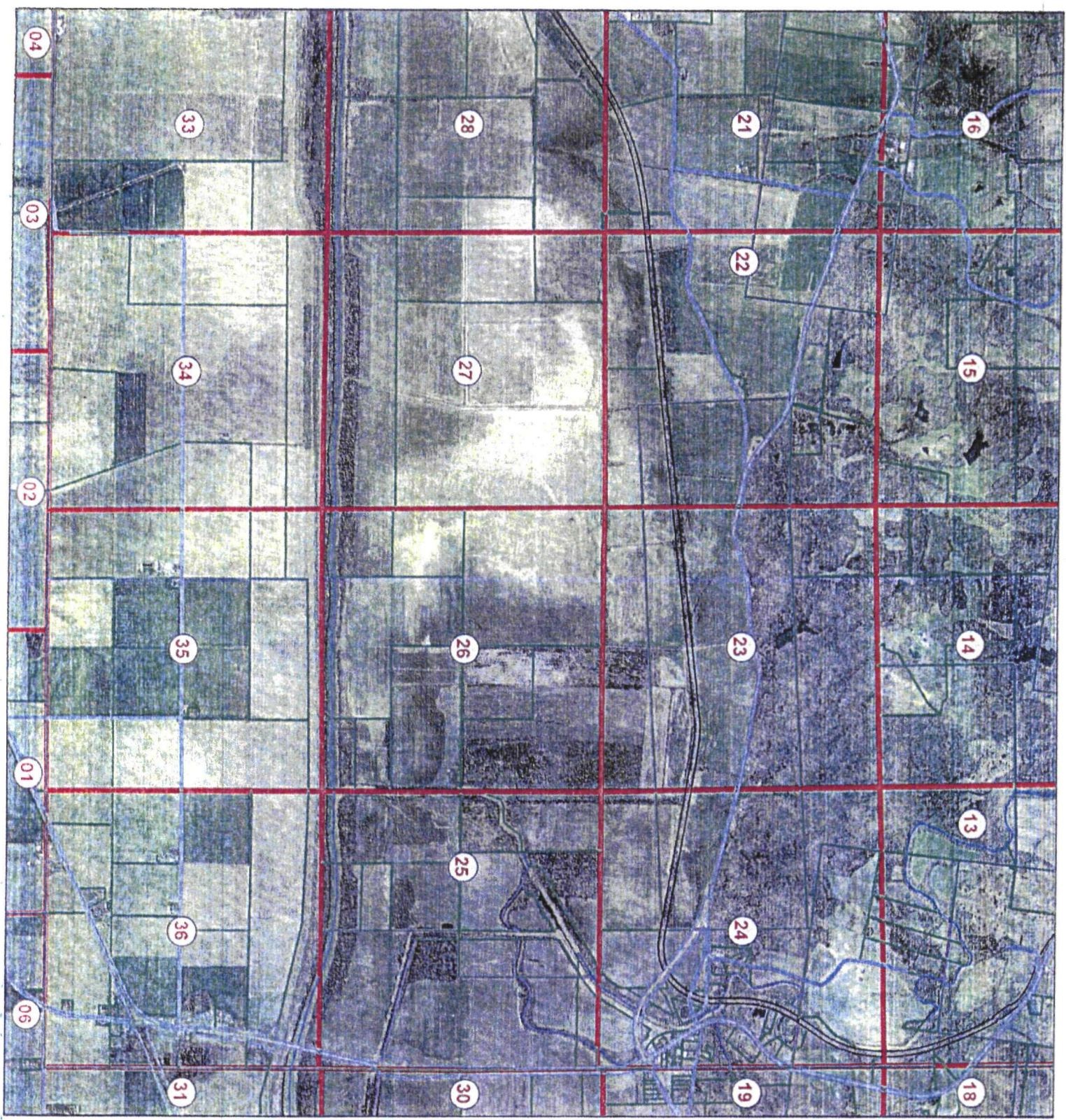
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SECTION
TOWNSHIP
RANGE
MAP NO.

Nov 08, 2011

Twp 29 Rng 12



CAPE
GIRARDEAU
COUNTY

Top 31 Rng 12

Top 30 Rng 12
MISSOURI



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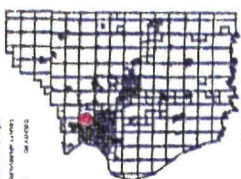
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Boundary

FCODE

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- State Line
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- Water/Parcel Line
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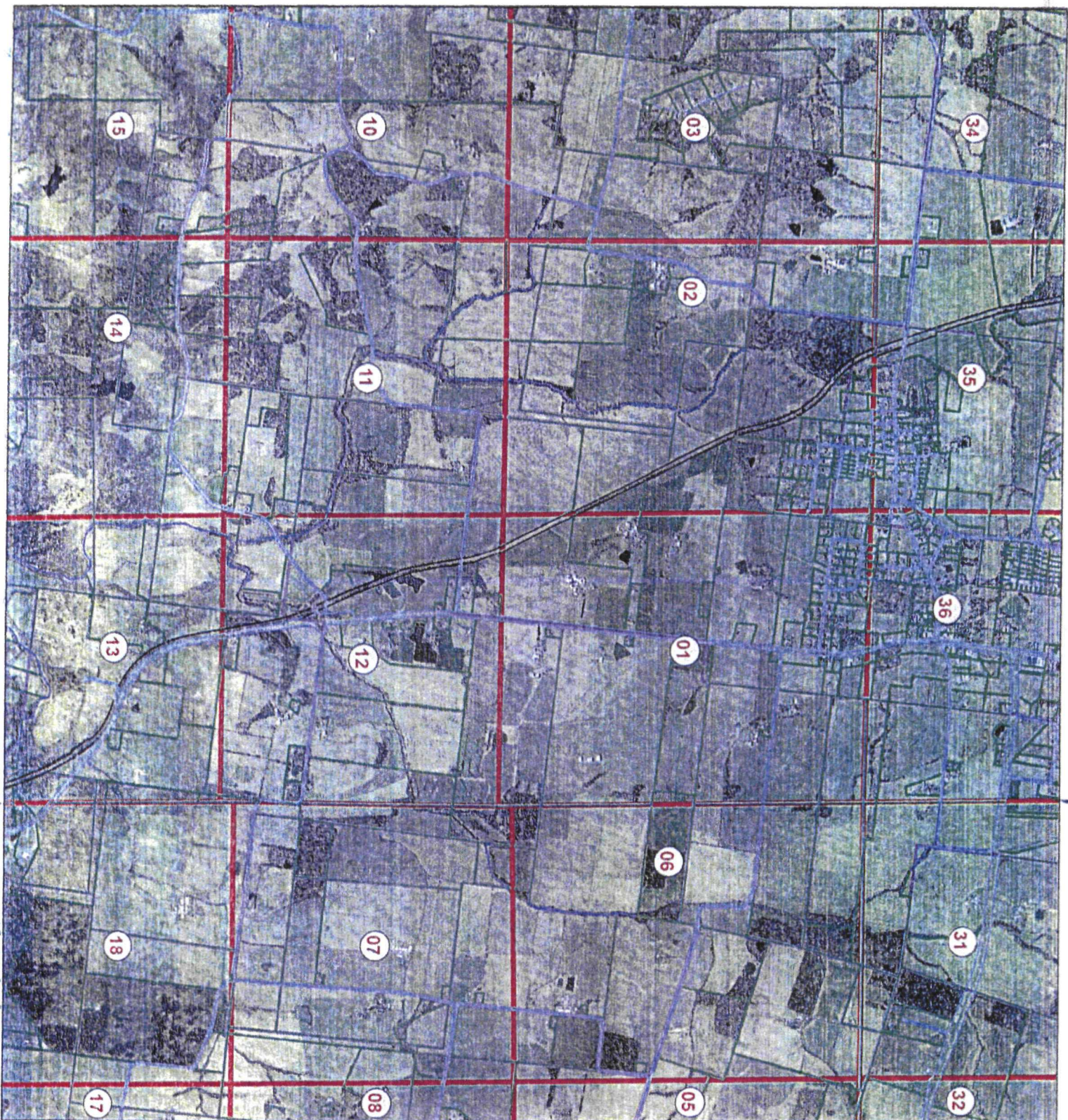
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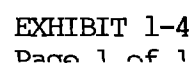


1 inch = 2,500 feet

SECTION
TOWNSHIP
RANGE
MAP NO.

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Nov 09 2011





**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB DOCKET NO. AB-1088X

**JACKSON, GORDONVILLE AND DELTA RAILROAD COMPANY
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LINE IN CAPE GIRARDEAU COUNTY, MISSOURI**

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

EXHIBIT 2

PHOTOGRAPHS







EXHIBIT

2-3

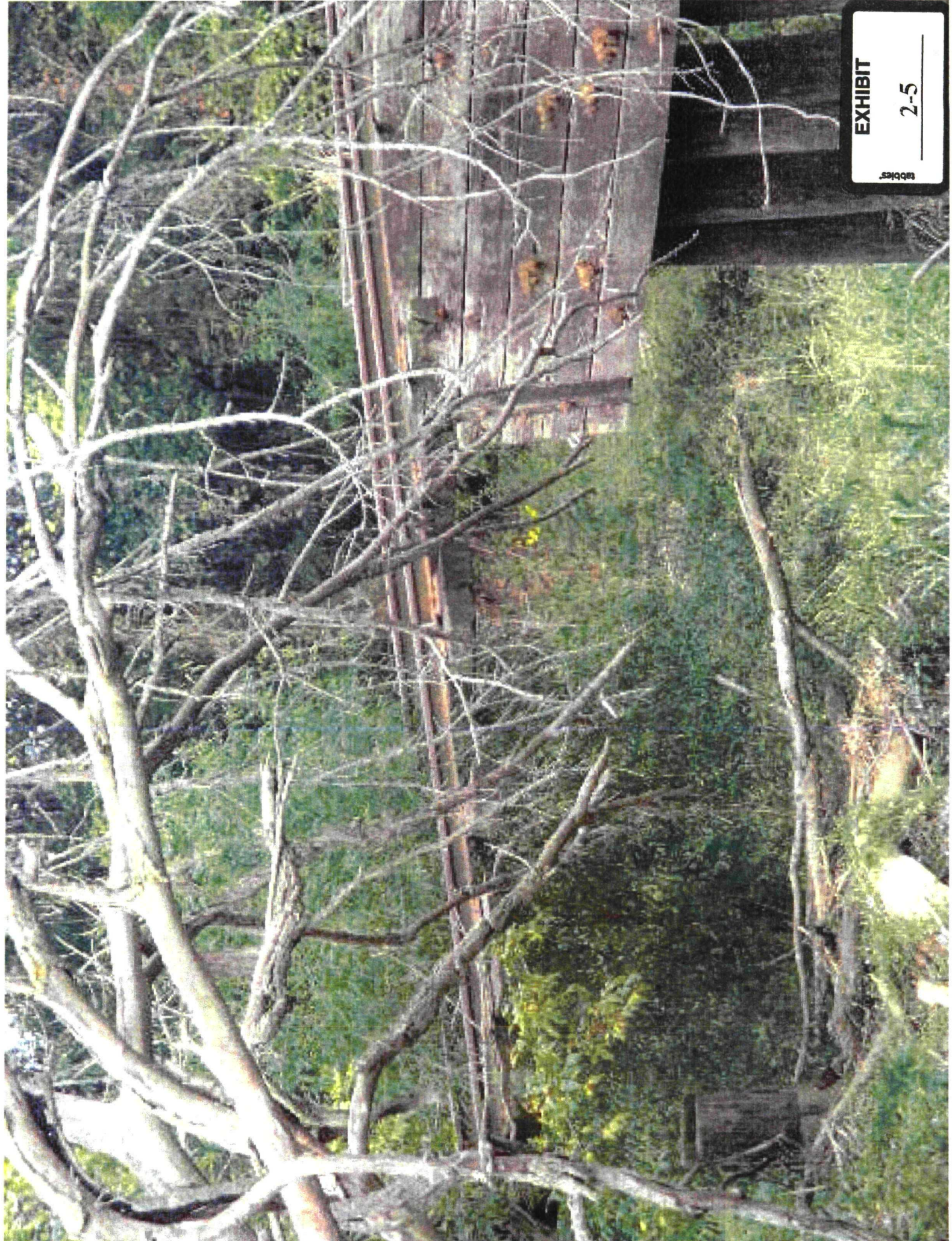
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EXHIBIT

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EXHIBIT

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EXHIBIT

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EXHIBIT

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EXHIBIT

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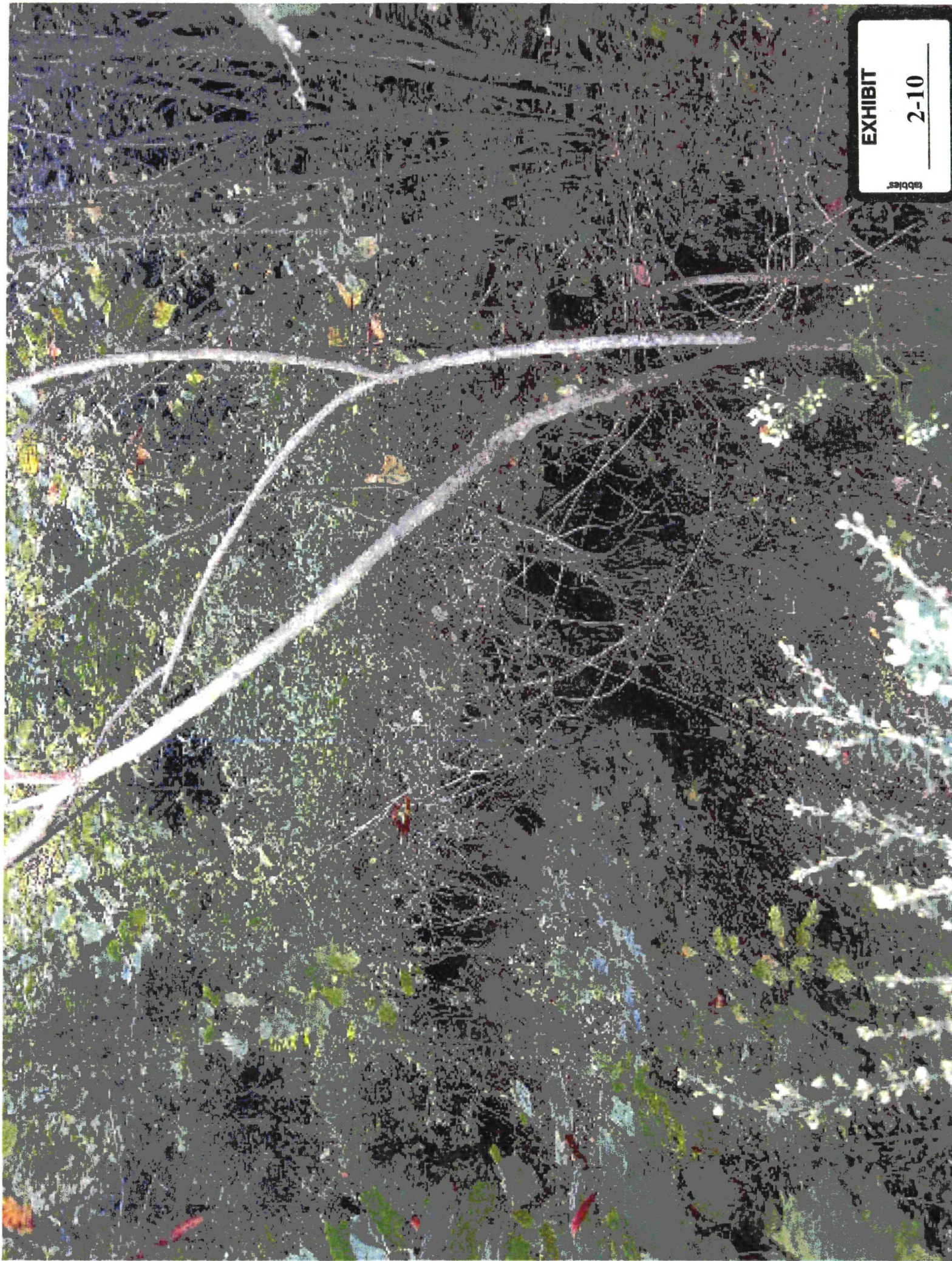
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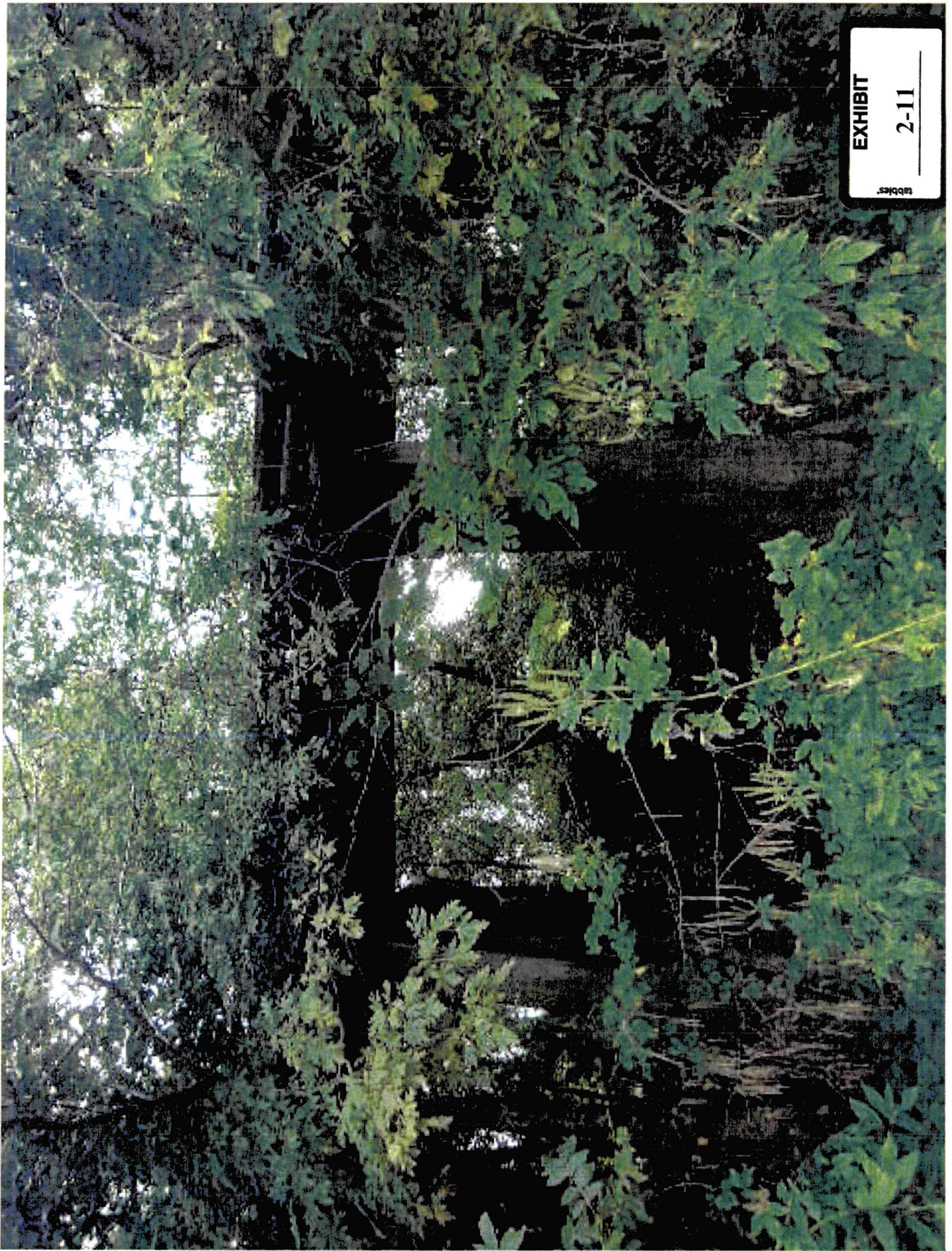
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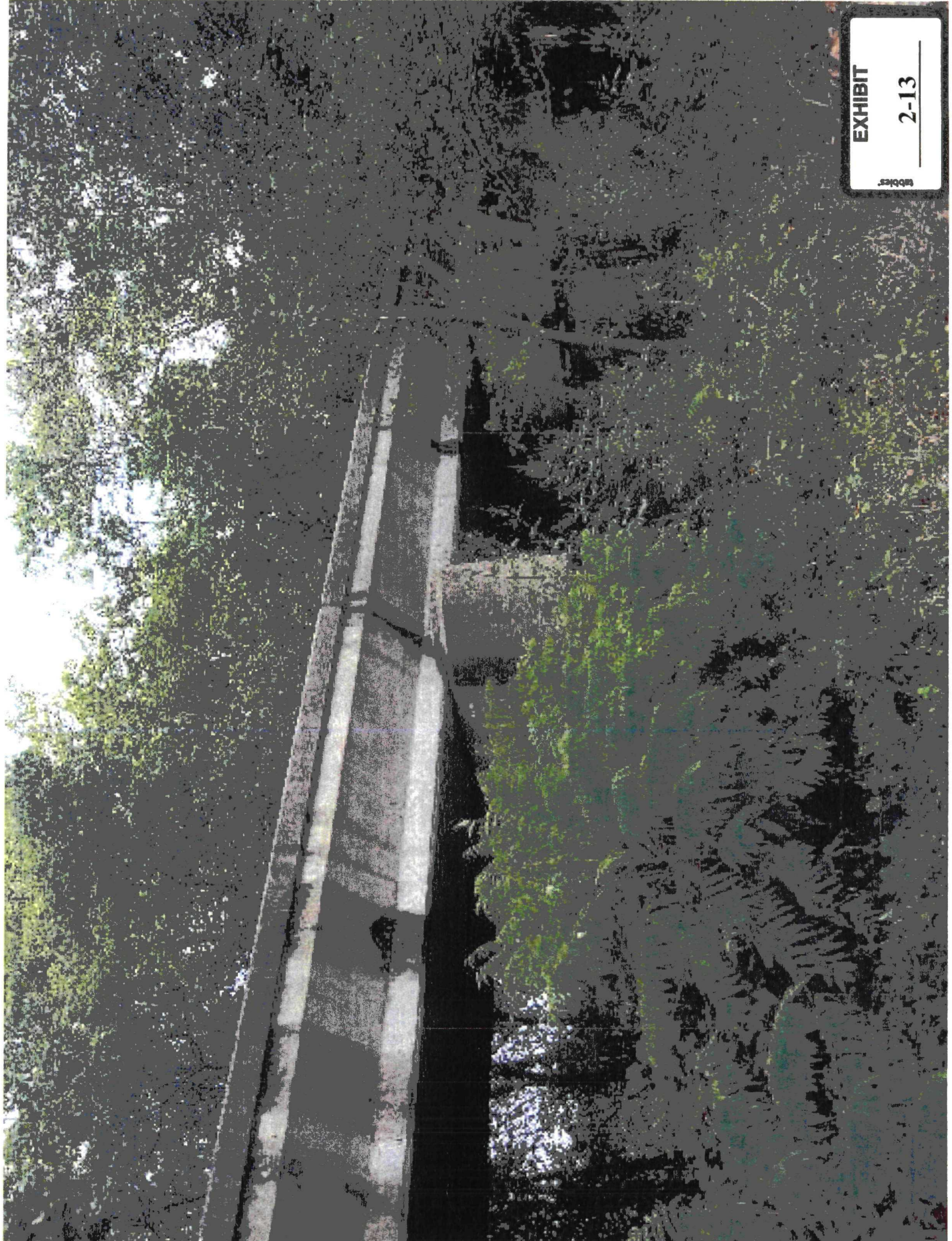


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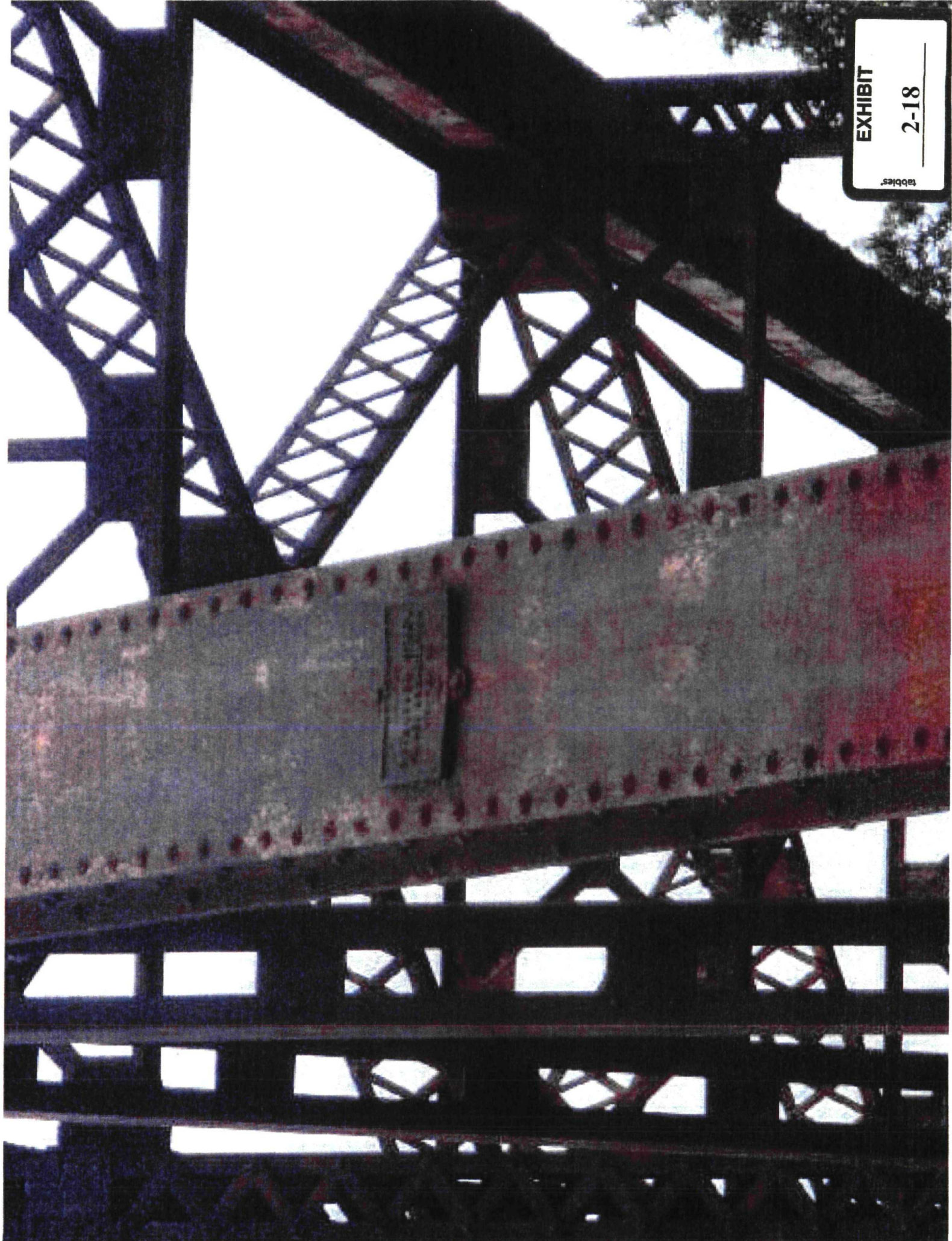
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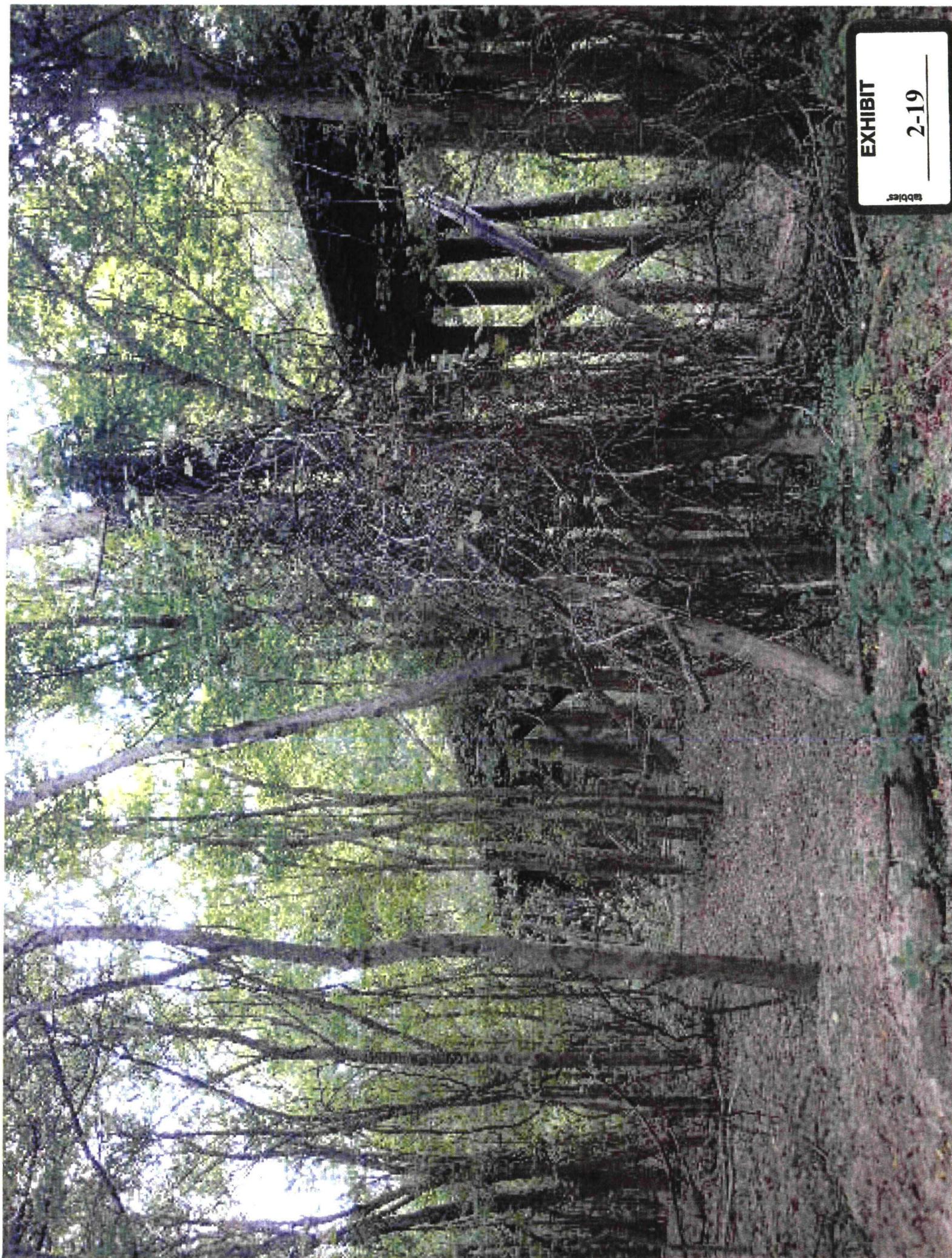
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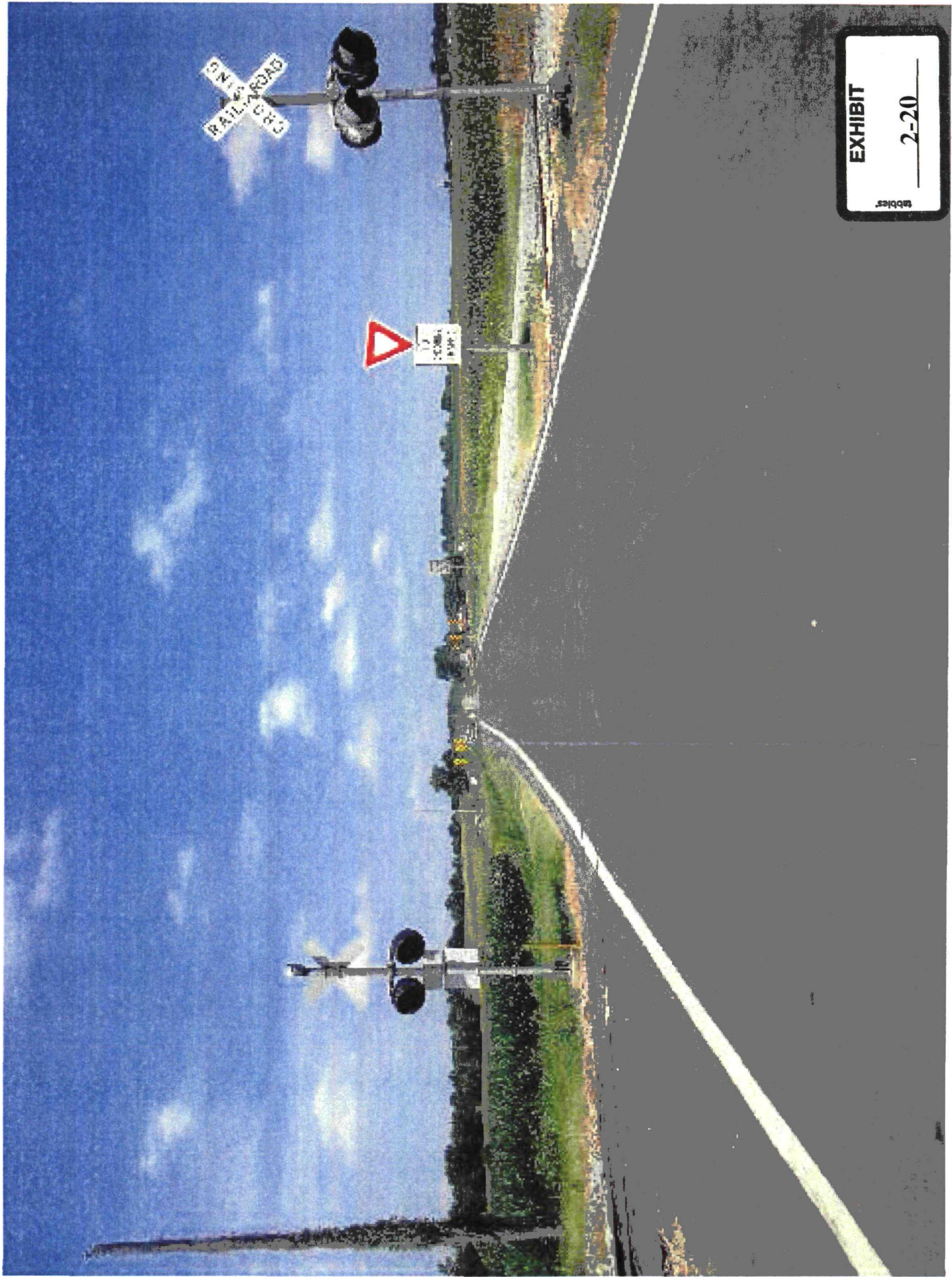


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EXHIBIT

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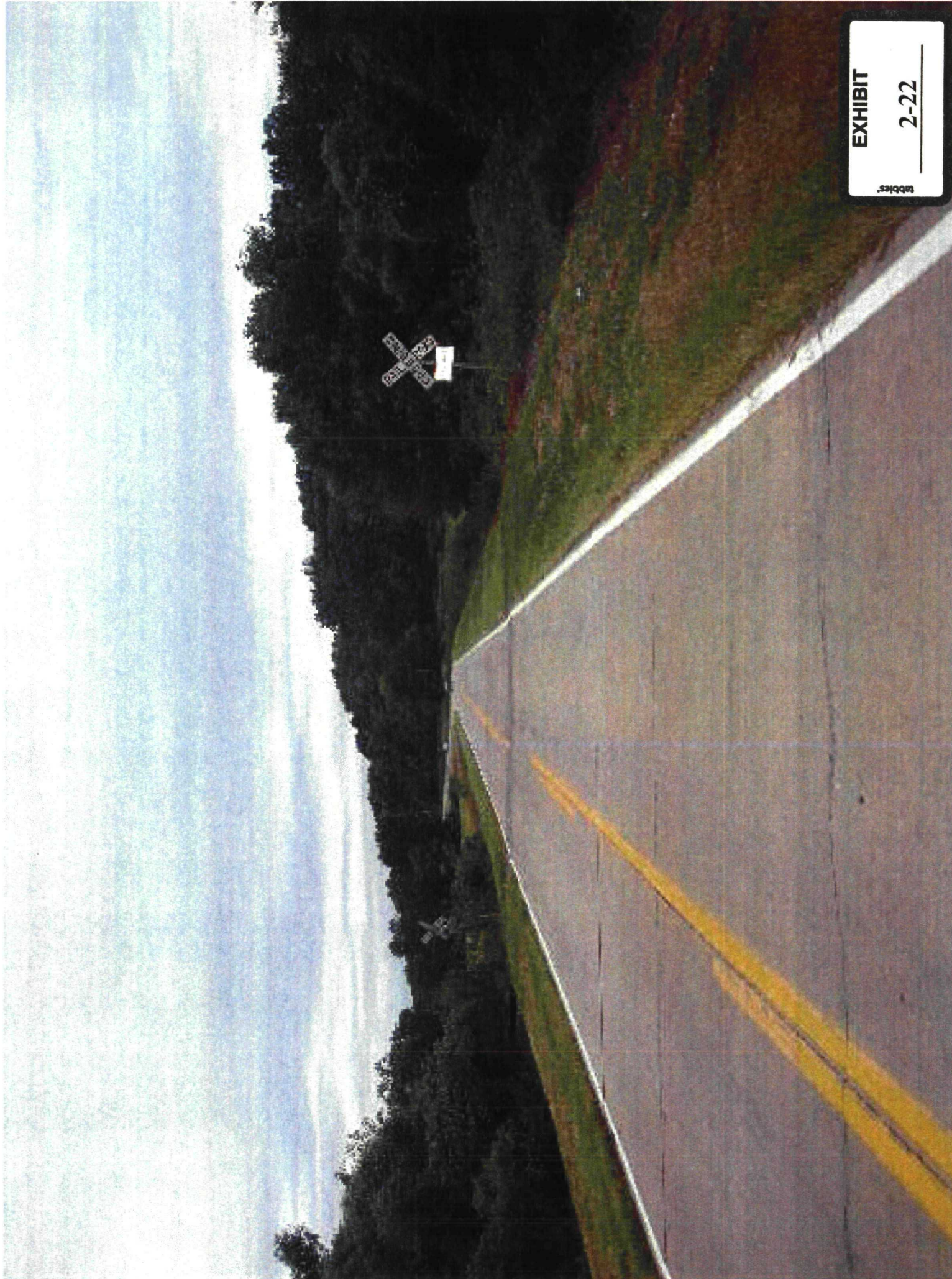
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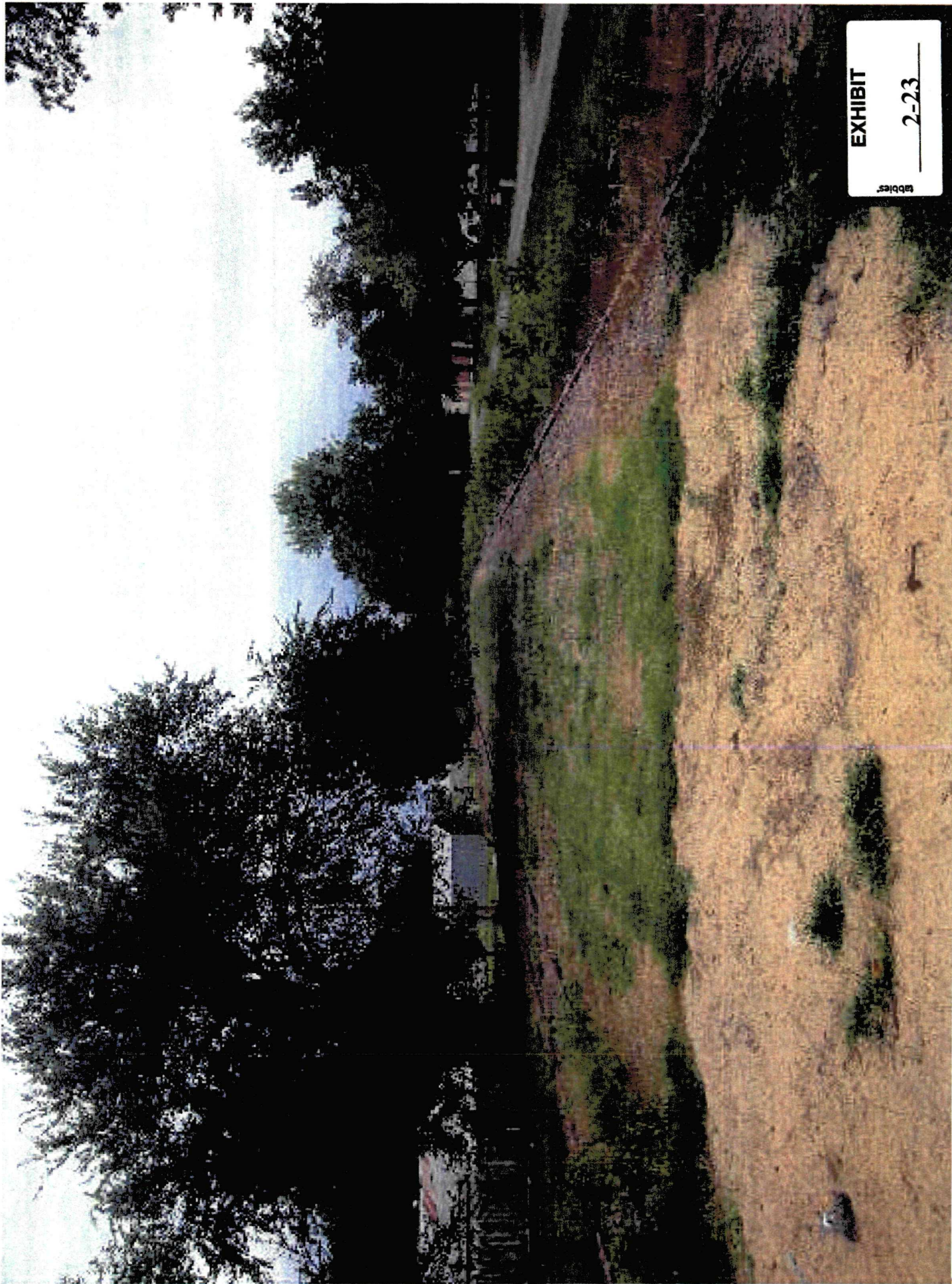
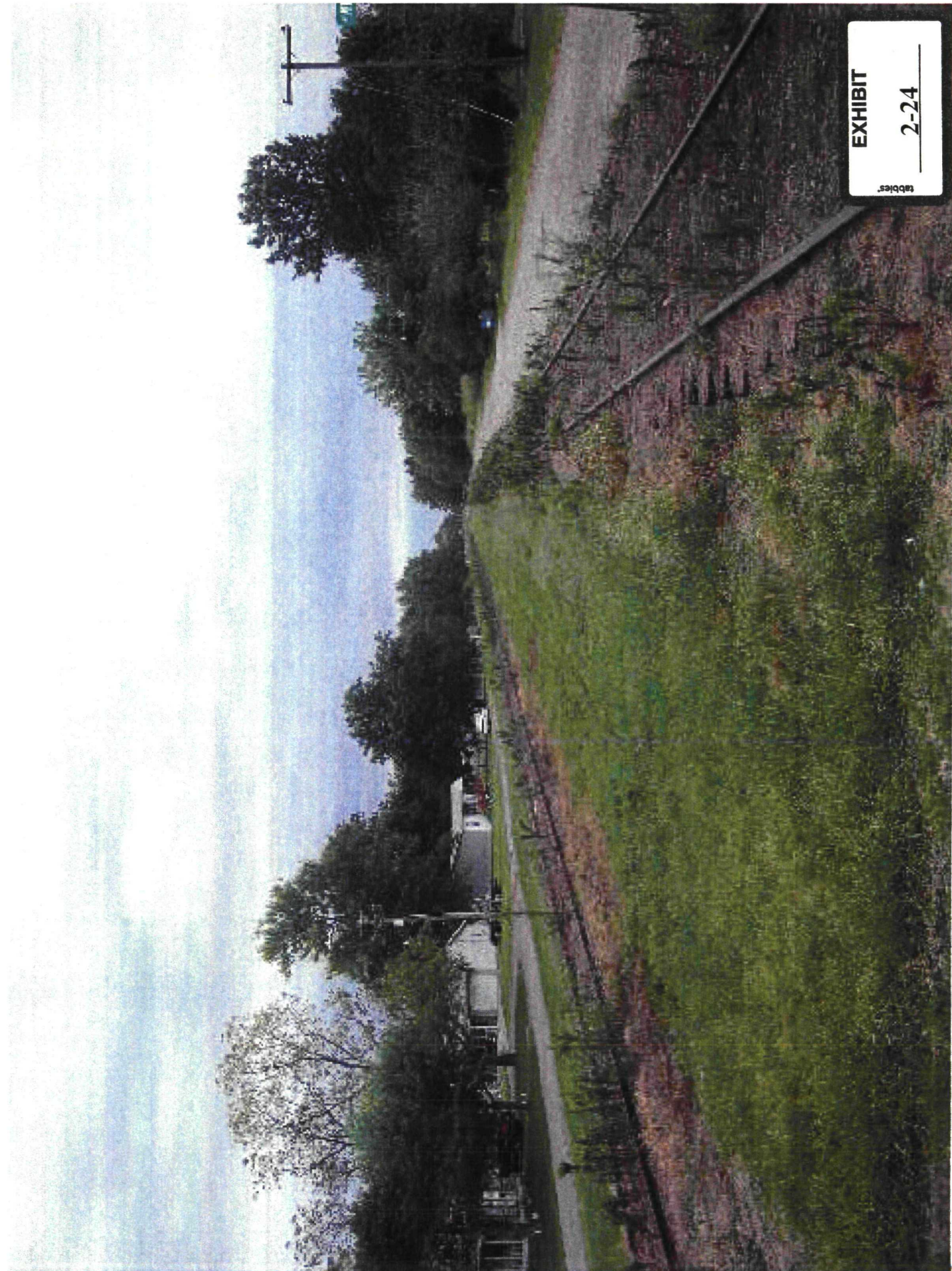


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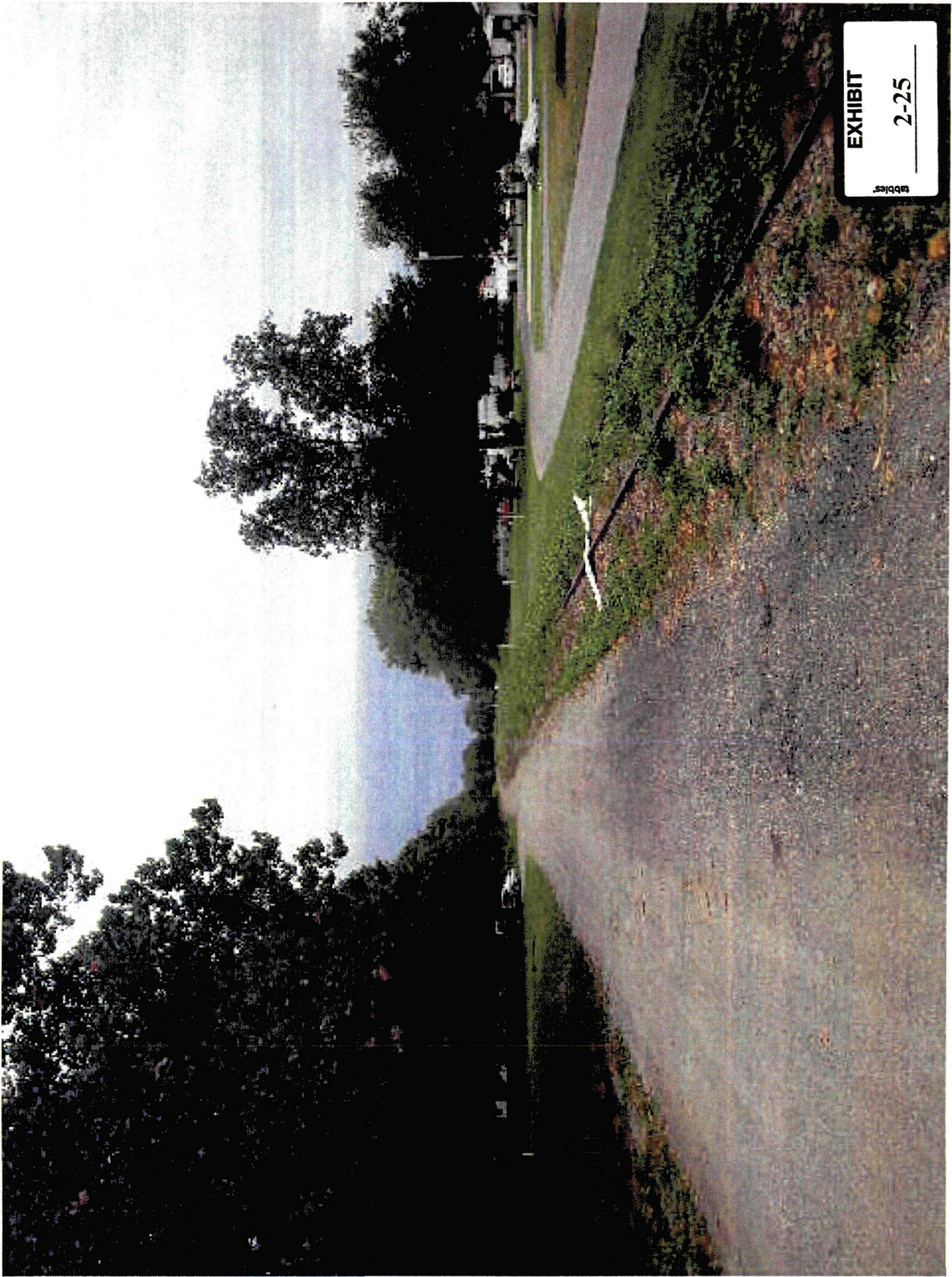
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EXHIBIT

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EXHIBIT

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